



United States Department of State

Washington, D.C. 20520

DEC 16 2016

Case No. F-2016-01568

Segment: LA-0001, LA-0002, L-0001

Arthur Spitzer, Esq.
American Civil Liberties Union of the Nation's Capital
4301 Pennsylvania Avenue, NW
Suite 434
Washington, DC 20008

Dear Mr. Spitzer:

This is in response to your request dated March 3, 2016, for the release of certain Department of State records under the Freedom of Information Act ("FOIA") 5 U.S.C. § 552.

The review of 12 documents responsive to your request has been completed and we have determined that 5 may be released in full, 3 may be released with excisions, and 4 must be withheld in full. All released material is enclosed.

An enclosure explains Freedom of Information Act exemptions and other grounds for withholding material. Where we have made excisions, the applicable exemptions are marked on each document. In some cases, two or more exemptions may apply to the same document. The four documents denied in full were withheld under FOIA Exemption 5, 5 U.S.C. § 552(b)(5). All non-exempt material that is reasonably segregable from the exempt material has been released.

We will keep you informed as your case progresses. If you have any questions, please contact DOJ Trial Attorney Ryan Parker at 202-514-4336 or ryan.parker@usdoj.gov.

Sincerely,

Susan P. Weimer for

Eric F. Stein
Acting Director
Office of Information Programs and Services

Enclosures:
As stated.

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:

- 1.4(a) Military plans, systems, or operations
- 1.4(b) Foreign government information
- 1.4(c) Intelligence activities, sources or methods, or cryptology
- 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
- 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
- 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
- 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security; including defense against transnational terrorism
- 1.4(h) Weapons of mass destruction

- (b)(2) Related solely to the internal personnel rules and practices of an agency

- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:

ARMSEXP	Arms Export Control Act, 50a USC 2411(c)
CIA PERS/ORG	Central Intelligence Agency Act of 1949, 50 USC 403(g)
EXPORT CONTROL	Export Administration Act of 1979, 50 USC App. Sec. 2411(c)
FS ACT	Foreign Service Act of 1980, 22 USC 4004
INA	Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f)
IRAN	Iran Claims Settlement Act, Public Law 99-99, Sec. 505

- (b)(4) Trade secrets and confidential commercial or financial information

- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product

- (b)(6) Personal privacy information

- (b)(7) Law enforcement information whose disclosure would:

- (A) interfere with enforcement proceedings
- (B) deprive a person of a fair trial
- (C) constitute an unwarranted invasion of personal privacy
- (D) disclose confidential sources
- (E) disclose investigation techniques
- (F) endanger life or physical safety of an individual

- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions

- (b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

NR Material not responsive to a FOIA request excised with the agreement of the requester

**Everest****RELEASE IN FULL****Cover Sheet****201507522: (U) FAM Process for Review of Employee Public Communications**

CR Record Tech: Cox, Shanita E
Date Processed: 06/09/2015 4:51 PM
Initial Distribution: C; D; D-MR; E; INR; J; L; M; P; PA; R; S; S/ES; S/ES Memoranda Folder; S/ES-S; S/P; T
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Principal: D
Final Action: Reviewed:
Principal Final Action Addressed To: Approved
Principal Final Action Taken On: AJB
Final Action Note: 06/08/2015
 Treated as Original and forwarded to IPS.

Principal: D-MR
Final Action: Reviewed:
Principal Final Action Addressed To: Approved
Principal Final Action Taken On: HAH
Final Action Note: 05/28/2015
 Treated as Original and forwarded to IPS.

U.S. Department of State**REVIEW AUTHORITY: Frank Tumminia, Senior Reviewer**
http://everest.ses.state.class/_layouts/Everest/Pages/FinalActionCoversheet.aspx?ID=55560... 6/9/2015

REVIEW AUTHORITY: Frank Tumminia, Senior Reviewer

for information that do not appear to be legitimate.

RELEASE IN FULL

12 FAM 713.5-2 Reporting Requirements

(CT:DS-258; 06-13-2016)

- a. All personnel under Department authority with SCI access are obligated to report to proper authorities all activities or conduct concerning themselves or of another individual who has access to SCI as stated below in 12 FAM 713.5-3 through 12 FAM 713.5-5.
- b. Employees of other agencies must also comply with their parent agencies reporting requirements.

12 FAM 713.5-3 Prepublication Review

(CT:DS-258; 06-13-2016)

- a. Department employees, contractors, and former employees are obligated by their signed NDA to submit for security review any writing or other preparation in any form (speeches, public statements, internet postings, etc., including works of fiction) that contain or purport to contain any SCI, description of activities that produce or relate to SCI, or there is reason to believe derive from SCI. This is a continuing obligation that applies during the course of any access to SCI and after. Current employees, including When Actually Employed (WAE) status, and contractors must submit material via the Bureau of Public Affairs (PA) Reviews Web site. Former employees and contractors must submit material for review to the Office of Information Programs and Services (A/GIS/IPS) at classification@state.gov. Personnel must obtain written authorization from the Department prior to release to any unauthorized person or public disclosure.
- b. **Prepublication** review is also necessary to avoid potential damage that would result from confirmation of SCI information previously published without authorization. Individuals with SCI access may not publicly cite such information especially in conjunction with military title, U.S. Government position, or contractual relationships with SCI programs.
- c. Department employees and contractors must submit material for review in accordance with 3 FAM 4170, Review of Public Speaking, Teaching, Writing and Media Engagement. The review office will coordinate with DS/IS/SSO on the review of materials submitted by personnel with SCI access.

12 FAM 713.5-4 Foreign National Contacts

(CT:DS-258; 06-13-2016)

12 FAM 262 states the Departments policy on reporting of foreign contacts. 12 FAM 274 and 12 FAM 274.2 provide additional guidance. 12 FAM 275 provides guidance for reporting intent to marry or cohabit. All individuals under Department authority with SCI access must report foreign contacts as directed in the FAMs.

12 FAM 713.5-5 Sensitive Compartmented Information Travel Security Policy

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3 FAM 4170 REVIEW OF PUBLIC SPEAKING, TEACHING, WRITING, AND MEDIA ENGAGEMENT

RELEASE IN FULL**3 FAM 4170****REVIEW OF PUBLIC SPEAKING, TEACHING,
WRITING, AND MEDIA ENGAGEMENT**

(CT:PER-776; 07-27-2015)

(Office of Origin: PA)

REVIEW AUTHORITY: Frank Tumminia, Senior Reviewer**3 FAM 4171 APPLICABILITY**

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. The provisions of this subchapter apply to all personnel in the United States and abroad who are currently employed (even if in Leave Without Pay status) by the Department of State and the United States Agency for International Development (USAID), including but not limited to Foreign Service (FS) employees, Civil Service (CS) employees (including schedule C appointees and annuitants returning to work on temporary appointments on an intermittent basis, commonly referred to as "While Actually Employed (WAE)" personnel), locally employed staff (LE Staff), personal service contractors (PSCs), employees assigned to fellowships or details elsewhere and detailees or fellows from other entities assigned to the Department, externs/interns, and special government employees (SGEs) as defined in 18 U.S.C. 202(a) (all together referred to as "employees"). USAID service contractors and implementing partners should consult USAID's Bureau for Legislative and Public Affairs for applicable guidelines.
- b. Former Department of State employees (including former interns and externs) must seek guidance from A/GIS/IPS for applicable review process information. Former USAID employees (including former interns and externs) must consult the Bureau for Legislative and Public Affairs for applicable review process information.
- c. The provisions of this subchapter apply to all public communications as defined in 3 FAM 4173, such as speaking, teaching, writing, and press/media engagement, including that prepared for electronic dissemination in an employee's official capacity, or in an employee's personal capacity if on a topic "of Departmental concern," as defined in 3 FAM 4173.
- d. The provisions in this subchapter apply to all non-emergency public communications. During crisis situations, posts should seek guidance from Washington as the review process may change. See 12 FAH-1 H-400 for information on crisis communications.
- e. Views on matters of Departmental concern communicated through methods of internal communication (including, for example, the Department's internal dissent channel) or disclosures made pursuant to 5 U.S.C. 2302(b)(8)(B) are not subject to the review requirements of this subchapter.
- f. Employee testimony, whether in an official capacity or in a personal capacity on a matter of Departmental concern, may be subject to the review requirements of this subchapter. Employees should consult with the Department of State's Office of the

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Legal Adviser or USAID's Office of the General Counsel, as appropriate, to determine applicable procedures.

- g. USAID's internal implementation procedures are not comprehensively discussed in this subchapter. USAID employees should seek guidance from the Bureau for Legislative and Public Affairs.

3 FAM 4172 AUTHORITIES

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. The provisions of this subchapter are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this policy and are controlling.
- b. These provisions are to be interpreted and applied consistent with the following authorities. This list is exemplary.
 - (1) The Constitution of the United States, including the First Amendment and related jurisprudence;
 - (2) The Anti-Lobbying Act, 18 U.S.C. 1913;
 - (3) The Compliance with Procurement Integrity Act, 41 U.S.C. 2101-2107;
 - (4) The Digital Millennium Copyright Act, Public Law 105-304;
 - (5) The Federal Advisory Committee Act, 5 U.S.C. Appendix;
 - (6) The Hatch Act, 5 U.S.C. 7321-7326;
 - (7) The Immigration and Nationality Act, 8 U.S.C. 1101 et seq.;
 - (8) The Privacy Act, 5 U.S.C. 552a;
 - (9) Use of the Great Seal and Agency Seals; 18 U.S.C. 713 and 1017;
 - (10) The Whistleblower Protection Enhancement Act, Public Law 112-119;
 - (11) Annual appropriations act restrictions on publicity and propaganda;
 - (12) 5 CFR 734, Political Activities of Federal Employees;
 - (13) 5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch;
 - (14) 22 CFR 172, Service of Process; Production or Disclosure of Official Information in Response to Court Orders, Subpoenas, Notices of Depositions, Requests for Admissions, Interrogatories, or Similar Requests with Demands in Connection with Federal or State Litigation; Expert Testimony (Touhy Regulations);
 - (15) Executive Order 13526, Classified National Security Information, or subsequent, related orders;

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- (16) Executive Order 13556, Controlled Unclassified Information;
- (17) Executive Order 13584, Developing an Integrated Strategic Counterterrorism Communication Initiative;
- (18) Protection of Sensitive Agency Information, OMB Memorandum M-06-16 (June 23, 2006);
- (19) Safeguarding Against and Responding to the Breach of Personally Identifiable Information, OMB Memorandum M-07-16 (May 22, 2007);
- (20) 3 FAM 1210, Personnel Policy;
- (21) 3 FAM 4120, Employee Responsibilities Abroad;
- (22) 3 FAM 4320, Disciplinary Action - Common Practices;
- (23) 5 FAM 460, Privacy Act Requirements;
- (24) 5 FAM 490, Use of Copyrighted Material;
- (25) 5 FAM 700, Internet and Intranet Use;
- (26) 12 FAM 540, Sensitive But Unclassified Information; and
- (27) 12 FAM 550, Security Incident Program.

3 FAM 4173 DEFINITIONS

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

Appearance: Any live or real-time (even if delayed) presentation of views or ideas, including but not limited to physical presence before an audience, participation in a text-only or visual online forum, participation in a press interview (in-person, online, or over the phone), or teaching.

Department: Both the U.S. Department of State and USAID, including U.S. and overseas offices, missions, and/or posts.

Electronic dissemination: Information disseminated through electronic means, including but not limited to email distributions, social media, removable media like CD-ROM, or other technologies.

Employees: Current FS employees, CS employees (including schedule C appointees and annuitants returning to work on temporary appointments on an intermittent basis, commonly referred to as "WAE" personnel), LE Staff, PSCs, employees assigned to fellowships or details elsewhere and detailees or fellows from other entities assigned to the Department, externs/interns, SGEs as defined in 18 U.S.C. 202(a), and any other personnel who are employed by State or USAID in the United States or abroad.

Final Review Office: The office assigned to conduct formal reviews on behalf of the Department, when required, of a particular employee's or office's public communications, as listed in the chart at 3 FAM 4174.3(a).

Media engagement: Interviews or written submissions for newspaper, magazine, TV, radio, documentary, or other media organizations or products, including online forums.

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- Media organization:** A person or entity engaged in disseminating information to the general public through a newspaper, magazine, other publication, radio, television, or other means of mass communication, including online forums such as blogs.
- Of Departmental concern:** Pertaining to current U.S. foreign policy or the Department's mission (including policies, programs, operations or activities of the Department of State or USAID), or which reasonably may be expected to affect the foreign relations of the United States.
- Official capacity:** Pursuant to an employee's employment responsibilities, or in any capacity representing the Department, regardless of location or forum.
- Personal capacity:** Not pursuant to an employee's official capacity, i.e., in his or her capacity as a private citizen. The content of a personal capacity public communication may nevertheless be of Departmental concern.
- Protected Information:** Information protected by law, regulations, privilege, or policy including but not limited to classified, sensitive but unclassified, non-public or controlled unclassified information.
- Public:** Non-U.S.-government audience(s).
- Public communication:** Appearances and/or publications for a public audience, including engagement with press/media organizations.
- Publication:** Any prepared written communication presenting views or ideas for public dissemination, including but not limited to books, articles, papers, text of oral remarks, letters to the editor, and digital or online posts, including social media.
- Publish:** To disseminate a publication.
- Social media:** Digital technologies, applications and platforms that allow publishing, communication, and collaboration among individuals and institutions.

3 FAM 4174 GENERAL POLICY AND PROCEDURES

3 FAM 4174.1 Policy

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. The Department encourages employees, in both their official and personal capacities, to undertake responsible activities, including public communications, devoted to increasing public study and understanding of the nation's foreign relations.
- b. Social media provides an important means for the Department to fulfill its lead role in the conduct of U.S. foreign policy. The Department encourages innovative and responsible use of social media by employees.

3 FAM 4174.2 Overview

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

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- a. Public communications may be conducted in employees' official capacities, or in their personal capacities. As detailed in this subchapter, different standards and procedures govern each of these situations. Online communications such as social media use are not exempted from those standards and procedures except as described herein.
- b. Employees' official capacity public communications, including written submissions to media organizations, interviews with the media, or other official media appearances must be reviewed and cleared by the applicable Final Review Office, as defined in 3 FAM 4174.3(a). However, the Final Review Office, in its discretion, may issue certain blanket authorizations to engage to employees, offices, or sections, particularly for social media engagement; see 3 FAM 4175.1(c).
- c. Employees' personal capacity public communications must be reviewed if they are on a topic "of Departmental concern" (see 3 FAM 4173). Personal capacity public communications that clearly do not address matters of Departmental concern need not be submitted for review.
 - (1) The personal capacity public communications review requirement is intended to serve three purposes: to determine whether the communication would disclose classified or other protected information without authorization; to allow the Department to prepare to handle any potential ramifications for its mission or employees that could result from the proposed public communication; or, in rare cases, to identify public communications that are highly likely to result in serious adverse consequences to the mission or efficiency of the Department, such that the Secretary or Deputy Secretary must be afforded the opportunity to decide whether it is necessary to prohibit the communication (see 3 FAM 4176.4).
 - (2) The purposes of the review are limited to those described in paragraph (1); the review is not meant to insulate employees from discipline or other administrative action related to their communications, or otherwise provide assurances to employees on matters such as suitability for continued employment (see, e.g., 3 FAM 4130 for foreign service personnel and 5 CFR 731 for civil service personnel). Ultimately, employees remain responsible for their personal capacity public communications whether or not such communications are on topics of Departmental concern.
- d. No current or former employee is permitted to publish or otherwise disclose to the public (including by posting to the Internet or social media) materials that contain classified information. However, employees may make a protected disclosure of classified information to the Office of the Special Counsel or the Office of the Inspector General.
- e. In addition to complying with the provisions of this subchapter, employees engaged in public communication must also comply with applicable laws and regulations, including the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR Part 2635) and laws referenced in that regulation, and other authorities listed in 3 FAM 4172.

3 FAM 4174.3 Final Review Offices

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

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- a. Where the provisions in this subchapter require formal review on behalf of the Department for official or personal capacity public communications, that review will be conducted by the appropriate "Final Review Office" listed in the chart below:

Agency	Employees	Final Review Office
State	Employees in U.S. and Chiefs of Mission	Bureau of Public Affairs (PA)*
State	Employees abroad other than Chiefs of Mission**	Chief of Mission or designee
USAID	Employees in U.S.	USAID's Bureau for Legislative and Public Affairs (LPA)
USAID	Employees abroad**	Chief of Mission or designee with concurrence of LPA

*The Final Review Office for public communications by the PA Assistant Secretary is the Under Secretary for Public Diplomacy and Public Affairs or his/her designee.

**Does not generally include those employees abroad only on temporary duty status; such individuals must submit their communications for review to the relevant Final Review Office for their normal location of assignment, unless the latter has approved other arrangements.

- b. Public communications that are subject to review must be submitted in advance to the appropriate Final Review Office, in an editable format. That Office will respond as quickly as possible within the timeframes below if the proposed communication does not involve equities of another U.S. Government entity (e.g., NSA, NSC, CIA, DoD, etc.). When the proposed communication must be referred to another U.S. Government entity or entities for review, additional time may be required to complete the review.
- c. To ensure that no classified information is improperly disclosed, an employee must not take any steps to proceed with a public communication (including making commitments to publishers or other parties) until he or she receives written notice to proceed from the Final Review Office, except as described below. If, upon expiration of the relevant timeframes below, the Final Review Office has not provided an employee with either a final response or an indication that a public communication involves equities of another U.S. Government entity (including a list of the entity or entities with equities), the employee may use, issue, or publish materials on matters of Departmental concern that have been submitted for review so long as such materials do not contain information described in 3 FAM 4176.2(a) and taking into account the principles in 4176.2(b). When an employee has been informed by the Final Review Office that his or her public communication involves equities of another U.S. Government entity or entities, the employee should not proceed without written notice to proceed from the Final Review Office. Upon the employee's request, the Final Review Office will provide the employee with an update on the status of the review of his or her public communication, including, if applicable, the date(s) on which the Department submitted the employee's communication to another entity or entities for review. Ultimately, employees remain responsible for their personal

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capacity public communications whether or not such communications are on topics of Departmental concern:

Intended Public Communication*	Review Timeframe
Books, manuscripts, and other publications of considerable length	30 working days
Articles, papers, and other writings of a highly specialized nature	20 working days
Other papers or articles, including online publications	15 working days
Notification of a planned speaking engagement or other appearance	8 working days
Speeches, remarks, talking points, or notes for appearances	5 working days
Informal blog postings	5 working days
Other social media postings	2 working days

*Note: As this subchapter describes, not all public communication is subject to any type of review, and in some cases blanket authorization to engage, as described in 3 FAM 4175.1(c), may be granted. When in doubt, employees should consult their supervisors or Final Review Office for guidance.

3 FAM 4175 OFFICIAL CAPACITY PUBLIC COMMUNICATIONS

3 FAM 4175.1 General

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. Official capacity public communication may be conducted only if approved by the applicable Final Review Office (see 3 FAM 4174.3(a)) pursuant to the provisions of this subchapter. (For USAID see the Automated Directives System (ADS)).
- b. Public communication undertaken as part of an official Department-approved fellowship or detail on matters of Departmental concern, including that of employees detailed outside the Department as well as employees from other agencies detailed to the Department, will be subject to the official capacity review process.
- c. An individual, office and/or section that routinely conducts official public communication in order to satisfy essential programmatic responsibilities may be exempted from the review process if advance blanket authorization to engage has been previously granted by the Final Review Office. The blanket authorization to engage, once given, allows the holder to communicate publicly subject to the

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parameters of the authorization, and provided that all content conforms to the content rules outlined in 3 FAM 4175.2. Offices or sections whose employees have been granted blanket authorizations to engage must develop an internal review mechanism and accountability process for such content within the office. The Final Review Office will periodically review previously issued blanket authorizations to engage, and reserves the right to revoke such an authorization upon determination that revocation is in the best interest of the Department. Holders of a blanket authorization to engage may also be disciplined or subject to other administrative action related to their communications.

- d. When engaging in speaking, teaching, or writing as part of his or her official duties, an employee may not accept compensation for the activity from any source other than the U.S. Government. See 11 FAM 600.
- e. An employee may use his or her official title for purposes of identification, since the employee will have been authorized to engage in the activity in an official capacity.

3 FAM 4175.2 Content of Official Capacity Public Communications

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

a. Official capacity content must:

- (1) Be relevant and appropriate, in keeping with Department messaging, and in line with the communicating employee's, office's, or section's programmatic responsibilities. When relevant, employees should consult with other interested Department offices, posts, or sections;
- (2) Adhere to the content and security policies in 5 FAM 776.3 and 5 FAM 777, as applicable;
- (3) Identify, when using third party content, if there is a relationship between the Department and the third party to ensure transparency; and
- (4) When at post, respect host country laws consistent with Department policy. Employees are responsible for knowing host country laws.

b. Content must not:

- (1) Be inconsistent with stated U.S. Government policy, unless clearly contextualized as another entity's view shared in the interest of educating, informing, or encouraging dialogue about U.S. Government policies, U.S. principles, or U.S. society;
- (2) Comment on matters that are highly sensitive for the foreign relations or foreign policy goals of the United States, or on matters for which PA should otherwise be the first to speak for the Department, unless approved by PA or authorized (in consultation with the Department of State's Office of the Legal Adviser or USAID's Office of the General Counsel, as appropriate) by law or regulations;
- (3) Be libelous, defamatory, or offensive, including with regard to representatives of foreign governments, except when the text reflects an official cleared policy stance;

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- (4) Contain, or in any way allow the public to access, classified or other protected information, even if it is already publicly available due to a previous unauthorized disclosure, including:
 - (a) Material that the Department believes should be protected from public disclosure under the Freedom of Information Act (FOIA), 5 U.S.C. 552(b), including internal pre-decisional deliberative material;
 - (b) Information that reasonably could be expected to interfere with law enforcement proceedings or operations;
 - (c) Information pertaining to procurement in violation of 41 U.S.C. 2101-2107;
 - (d) Sensitive personally identifiable information as defined in 5 FAM 795.1(f); and
 - (e) Other nonpublic information, when used in a manner as prohibited by 5 CFR 2635.703.
- (5) Promote a personal business or political point of view; or
- (6) Contain a solicitation of any kind, or advertising on behalf of a non-U.S. government entity, without advance approval from the Department of State's Office of the Legal Adviser or USAID's Office of the General Counsel, as appropriate.

c. Particular guidance for social media content:

- (1) The guidelines and restrictions in this subchapter have been developed to provide greater discretion to employees to post relevant content to official Department social media sites, and other social media sites as appropriate, subject to the guidance of their supervisors;
- (2) Re-posting or re-using official content from sites managed by the Department, or other U.S. government agencies where relevant and consistent with Department messaging, is encouraged. The posting of original content is also encouraged provided it complies with the requirements outlined in paragraphs (a) and (b) above;
- (3) Employees may post appropriate third-party content or links to external sites, social media accounts, or specific pieces of social media content deemed to be reputable for informational purposes, provided the content complies with the requirements outlined in paragraphs (a) and (b) above. Content managers are responsible for ensuring that use of external links is not biased toward any one source or publication, and should be careful not to be perceived as official endorsement or sanction of a commercial enterprise;
- (4) When non-U.S. Government links are provided, the social media profile must include the following information, if possible, and otherwise a link to a site containing a Terms of Use (see 5 FAM 793.4) that contains the following information: The links contained herein are for informational purposes only and do not necessarily reflect the views or endorsement of the U.S. Government; and
- (5) See 5 FAM 794 for additional guidelines on content record-keeping.

- d. Copyrighted materials must be used only in accordance with current copyright laws, which typically require permission from the copyright owner. Refer to 5 FAM 490, Use of Copyrighted Material, for specific policy in this area. Material created by the Department cannot be copyrighted, and no copyright insignia ("©") or statement

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claiming copyright of a purely government work may be used, including on social media. Employees should also check the terms of the license for any third party material incorporated into Department material that they wish to use, to be sure that the use they intend is allowable.

3 FAM 4175.3 Review Process for Official Appearances and Media Engagement

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. All invitations for official appearances, including to speak, lecture, or participate in conferences or media interviews in an official capacity, must be referred for review to the appropriate Final Review Office. (See chart at 3 FAM 4174.3(a).) This should be done as soon as the invitation is made, even if materials (such as a speech or talking points) have not yet been prepared. Such materials should be submitted as soon as possible thereafter, as described below in paragraph (b). For employees submitting a request to PA, such requests should be submitted via PAReviews@state.gov.
- b. PA clears all public remarks by senior officials at the Assistant Secretary level and above, including Chiefs of Mission. All other employees must first submit the text, talking points, interview notes, or other materials to support the appearance to their immediate supervisors and any other offices concerned with the subject matter for preliminary review, editing, and approval. Once those preliminary approvals have been collected, the materials must be submitted to the Final Review Office, noting all such clearances, and referencing the Final Review Office's clearance of the engagement itself, sought per paragraph (a) above.
- c. For informal presentations, professional meetings, conferences, and panel discussions where, because of the nature of the public appearance, no prepared script or outline will be available for review, the speaker is responsible for seeking out and then observing policy limitations from relevant subject matter offices in order to ensure that his or her remarks are consistent with U.S. foreign policy and could not reasonably be expected to interfere with the efficiency or mission of the Department. Further, as always, the speaker is responsible for ensuring that his or her remarks involve no violation of security or other dissemination of classified or other protected information.
- d. When participating in an online video or text-based chat or other engagement conducted over the Internet, employees must adhere to the same review requirements as for live public appearances.
- e. Generally, official statements to the press are made only by the Secretary; a Deputy Secretary or Under Secretary; Ambassadors at post; the Assistant Secretary for Public Affairs; Department Spokesperson or Deputy Spokesperson; authorized personnel of the Office of Press Relations; and other Department officials cleared to deliver such statements by the Final Review Office. As with other official appearances, drafts of public remarks or talking points for engagements with the media should be submitted as early as possible for clearance.
- f. While the Chief of Mission or his or her designee serves as the Final Review Office at posts, requests for employees abroad to engage with U.S. domestic media organizations and organizations with significant U.S. domestic impact, particularly

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English language outlets, must also be reviewed by PA. Prior consultation with PA on other important public statements is also expected.

3 FAM 4175.4 Review Process for Official Capacity Publications

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. PA clears all official capacity publications by senior officials at the Assistant Secretary level and above, including Chiefs of Mission. All other employees must first submit the text to their immediate supervisors and any other offices concerned with the subject matter for preliminary review, editing, and approval. Once those preliminary approvals have been collected, the materials must be submitted to the Final Review Office (as described in 3 FAM 4174.3(a)), noting all such clearances. The Final Review Office will then make the final approval determination. For employees submitting a request to PA, such requests should be submitted via PAReviews@state.gov.
- b. As described in greater detail below in 3 FAM 4175.5, this process also applies to official social media postings and content prepared for placement in online forums such as blogs or Internet-based publications. However, per the guidance described in 3 FAM 4175.1(c), there may be instances where advance blanket authorization to engage is granted to individuals, offices, or sections who routinely communicate with the public on matters of Departmental concern, particularly through social media.

3 FAM 4175.5 Additional Guidance on Official Use of Social Media

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

Social media can be an important tool to engage with the public on matters of concern to the Department.

- (1) In light of the rapid pace with which many social media platforms are used, all offices, sections, or employees who routinely post to such platforms in their official capacity are encouraged to seek advance blanket authorization to engage for their social media communications, in accordance with 3 FAM 4175.1(c).
- (2) All employees, but especially those who routinely engage in official social media communications, are strongly encouraged to complete relevant training offered by the Foreign Service Institute, as coordinated by FSI/SPAS/PD. PA, the Bureau of International Information Programs, and other bureaus also offer other workshops and professional development in this area.
- (3) Employees must secure authorization from their bureau or post to create new official social media sites, accounts, or to engage in such activities on third-party sites. Offices and bureaus are also required to register official social media sites in the Department's iMatrix registry maintained by the Bureau of Information Resources Management (IRM), with PA and the Bureau of International Information Programs, and to list their properties on the Social Media Dashboard,

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as appropriate. USAID Missions abroad must also obtain prior approval from USAID's LPA before creating or engaging on new sites; LPA maintains a property inventory of all USAID properties. For more information on the establishment and maintenance of official social media platforms and accounts, see 5 FAM 790.

3 FAM 4176 PERSONAL CAPACITY PUBLIC APPEARANCES AND PUBLICATIONS

3 FAM 4176.1 General

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. Employees who, in their personal capacity, wish to communicate publicly on matters that are clearly not "of Departmental concern" (see 3 FAM 4173) need not seek Department review under the procedures outlined herein, and need not use the personal capacity disclaimer discussed below in paragraph (b). If there is doubt as to the need to seek review or use a disclaimer, employees should seek guidance from the appropriate Final Review Office (see 3 FAM 4174.3(a)). Please note that all employee public communications must comply with the content rules in 3 FAM 4176.2.
- b. Unless the appropriate Final Review Office indicates otherwise, employees who are communicating publicly in their personal capacity on matters of Departmental concern must include a disclaimer indicating that the views expressed are their own and not necessarily those of the U.S. Government. However, such a disclaimer is not required when re-posting previously cleared and publicly disseminated U.S. Government content in a social media environment. Where such disclaimers are required but difficult to include (such as in a microblog character-limited format), employees must include information in their profiles indicating that their views are personal. In some cases, PA will provide specific disclaimer language as warranted by the topic or nature of publication.
- c. When engaging in personal capacity public communication, employees may generally not accept compensation if the activity "relates to the employee's official duties." See 11 FAM 600. If abroad, see also 3 FAM 4120, "Employee Responsibilities Abroad."
- d. An employee may not improperly use U.S. Government time or resources for preparing or conducting personal capacity communications. See 5 FAM 723. An employee also may not use his or her official title for personal capacity communications, except as part of a biographical text that includes the disclaimer discussed above in paragraph (b), and provided the reference to the title is not given any special prominence. Additionally, an employee may not violate other applicable ethical standards of character, integrity, and conduct, including, for example, the rules prohibiting the use of public office for private gain and the rules concerning prohibited political activity.
- e. As stated in 3 FAM 4174.2(c)(1), the review process is limited to three purposes. (See also 3 FAM 4176.4.) Therefore, completion of the review process is not a Department "clearance" or "approval" of the planned communication, and is not meant to insulate employees from discipline or other administrative action related to

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their communications, including for conducting personal capacity public communications that interfere with the Department's ability to effectively and efficiently carry out its mission and responsibilities, by, for example, disrupting operations, impairing working relationships, or impeding the employee from carrying out his or her duties. Ultimately, employees remain responsible for their personal communications whether or not the communications are on topics of Departmental concern.

3 FAM 4176.2 Content of Personal Capacity Public Communications

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. When engaging in personal capacity public communications, employees must not:
 - (1) Claim to represent the Department or its policies, or those of the U.S. Government, or use Department or other U.S. Government seals or logos; or
 - (2) Disclose, or in any way allow the public to access, classified information, even if it is already publicly available due to a previous unauthorized disclosure.
- b. As stated in 3 FAM 4174.2(c)(1), a purpose of this review process is to determine whether the communication would disclose classified or other protected information without authorization. Other protected information that is or may be subject to public disclosure restrictions includes, but is not limited to:
 - (1) Material that meets one or more of the criteria for exemption from public disclosure under the Freedom of Information Act (FOIA), 5 U.S.C. 552(b), including internal pre-decisional deliberative material;
 - (2) Information that reasonably could be expected to interfere with law enforcement proceedings or operations;
 - (3) Information pertaining to procurement in violation of 41 U.S.C. 2101-2107;
 - (4) Sensitive personally identifiable information as defined in 5 FAM 795.1(f); or
 - (5) Other nonpublic information, when used in a manner as prohibited by 5 CFR 2635.703.

3 FAM 4176.3 Review Process for Personal Capacity Public Communications

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. PA reviews all personal capacity public communications on matters of Departmental concern by senior officials at the Assistant Secretary level and above, including Chiefs of Mission. For all other employees wishing to communicate publicly in their personal capacity on matters of Departmental concern, there are two review processes available:
 - (1) Individuals may, as a first step, submit their requests for review to the Final Review Office (as described in 3 FAM 4174.3(a)). For employees submitting a

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request to PA, such requests should be submitted via PAReviews@state.gov. The Final Review Office will then consult with the employee's immediate supervisor(s), and any other offices concerned with the subject matter in accordance with 3 FAM 4176.4(c). The Final Review Office will then make the final determination; and

- (2) Alternatively, employees may initially submit their requests for review to their immediate supervisor(s), the Public Affairs Office in their bureaus or posts, and any other Department offices concerned with the subject matter. The materials must then be submitted to the Final Review Office, noting all such reviewers and any comments received. The Final Review Office will then verify those reviews, assess whether other reviews are needed, and make the final determination.
- b. Supervisors, Public Affairs Offices, or any other offices involved in the review process must flag for the Final Review Office any view that the proposed public communication may:
 - (1) Contain classified or other protected information;
 - (2) Result in serious adverse consequences to the efficiency or mission of the Department; or
 - (3) Be or become high impact or high profile, for example communication that is controversial, or otherwise involves a sensitive Department priority; and
 - (4) The Final Review Office will then apply the standard described in 3 FAM 4176.4(a).
- c. In all cases, an employee must disclose his or her identity to the relevant Department reviewers.
- d. If another U.S. Government entity seeks Department review of a personal capacity public communication by that entity's employee, the Department office in receipt of such request must coordinate with PA.

3 FAM 4176.4 Final Review Office Procedures and Standard for Review of Personal Capacity Public Communications

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. A principal goal of the review process for personal capacity public communications is to ensure that no classified or other protected information will be disclosed without authorization. In addition, the Final Review Office will evaluate whether the employee's public communication is highly likely to result in serious adverse consequences to the efficiency or mission of the Department, such that preventing those consequences outweighs the employee's presumptively high interest in communicating and the public's interest in receiving the communication. An assessment of the risk that the views in the communication could be attributed to the Department despite the employee's use of a disclaimer is a significant consideration in this evaluation, although it is not necessarily determinative. If the Final Review Office believes that a particular public communication should be prohibited under this standard, it will refer the decision (via Action Memorandum) to the Secretary of State or a Deputy Secretary of State for determination. However, where possible, the Final Review Office will suggest modifications to the draft communication that, if accepted,

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would reduce the risk to the Department's mission or efficiency sufficiently to moot the need to seek that determination.

- b. As stated in 3 FAM 4176.1(e), employees remain responsible for the consequences of their personal capacity public communications. To the extent time and resources allow, reviewers may assist the employee in identifying possible modifications or other adjustments to avoid the inclusion of non-classified but otherwise protected information, or the potential for adverse consequences to the Department's mission or efficiency (including the employee's ability to perform his or her duties effectively in the future). However, even if such assistance is provided, completion of the review process is not a Department "clearance" or "approval" of the public communication, and is not meant to insulate employees from disciplinary or other administrative action related to their communications, as set out in 3 FAM 4176.1(e).
- c. The Final Review Office will consult with any office in the Department with equities in the proposed communication during the course of its review. Final Review Offices at posts may seek PA's assistance in coordinating reviews when their employees' communications are on topics of particular concern to another post or bureau in the Department. If the Final Review Office determines that another U.S. Government entity needs to review the communication, PA will coordinate that review.
- d. No matter the outcome of the review, the Department may prepare to handle any potential ramifications for its mission or employees that could result from the proposed public communication.

3 FAM 4176.5 Additional Guidance on Personal Use of Social Media

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

Department employees who access and post entries to public, Internet-based social media sites in their personal capacity must use a personal profile registered with a personal email address at those sites, consistent with general policies on Internet use at 5 FAM 700, as applicable.

3 FAM 4176.6 Review of Materials Prepared by Special Government Employees

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. A special government employee (SGE), as defined in 18 U.S.C. 202(a), is responsible for submitting for review any materials on matters of Departmental concern prepared in his or her personal capacity only if they relate to a matter to which the employee currently is assigned or to which the employee has been assigned during the previous one-year period of the current assignment. Whether or not a particular communication is subject to the review process, the content restrictions found in 3 FAM 4176.2 apply.
- b. In some limited circumstances, specially designated SGE members of high-level advisory boards may be notified in writing, with concurrence from the Department of

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State's Office of the Legal Adviser and Undersecretary for Management, that they are exempt from the review requirements of this section. However, the disclaimer requirement, content restrictions, and ethics compensation rules remain applicable. SGEs at USAID should consult LPA for applicable guidelines.

3 FAM 4177 NONCOMPLIANCE

(CT:PER-776; 07-27-2015)

(State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. Failure to follow the provisions of this subchapter, including failure to seek advance reviews where required, may result in disciplinary or other administrative action up to and including separation. Violations by USAID employees may be referred to the Deputy Administrator for Human Resources or USAID's Office of the Inspector General (see 3 FAM 4320). Disciplinary action will be pursued consistent with applicable law, including 5 U.S.C. 2302.
- b. Publication or dissemination of classified or other protected information may result in disciplinary action, criminal prosecution and/or civil liability.

3 FAM 4178 AND 4179 UNASSIGNED

REVIEW AUTHORITY: Frank Tumminia, Senior Reviewer

(1)

MANUSCRIPT CLEARANCE PROCEDURES
FOR FORMER EMPLOYEES (AND SOME WAEs)

(full length books, articles, speeches, op-eds, etc.)

RELEASE IN FULL

A/GIS/IPS coordinates all USG clearances for former employees writing about topics & time periods about which they had access to classified information, as below. Contact is Alden Fahy (202) 261-8431 or Behar Godani (202) 261-8343 or via email at classification@state.gov.

- Submit to Eric Stein, Director, Acting- Office of Information Programs and Services, A/GIS/IPS, SA-2, 515 22nd Street NW, Washington, D.C. 20522.
- Allow at least one month review time for articles, op-eds and speeches and five months for full-length non-fiction manuscripts. Do not share uncleared text with potential publishers, or anyone else without a security clearance. Brief text, or a single chapter intended for publishers, may possibly be cleared on an expedited schedule.
- Authors who have only been employed by the Department, even though their text contains information concerning other executive branch entities or the White House, should not contact those agencies directly for clearance. A/GIS/IPS will coordinate all external clearances necessary.
- Once A/GIS/IPS has assigned a case number and reviewer for your publication, you will work directly with the analyst and/or reviewer throughout the review process, and will receive regular status reports.
- When clearance is final, you will receive a letter, the cleared version of your manuscript showing required redactions or rewritten text as agreed upon, and our requested disclaimer clause. Any additions or substantive rewrites may require additional review.
- A/GIS/IPS looks forward to working with you. (Authority: 3 FAM 4172.1-3F).

Current employees' and non-A Bureau WAEs' should contact PA/FO since these reviews are conducted under different provisions of 3 FAM 4170.

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RELEASE IN FULL

3 FAM 4170 REVIEW OF PUBLIC SPEAKING, TEACHING, WRITING, AND MEDIA ENGAGEMENT

(CT: PER-XXX; XX-XX-2015)
(Office of Origin: PA)

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REVIEW AUTHORITY: Frank Tumminia, Senior Reviewer

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3 FAM 4178 UNASSIGNED.....21

3 FAM 4171 APPLICABILITY*(CT: PER-XXX; XX-XX-2015)**(Uniform State/USAID)**(Applies to all Employees in the United States and Abroad)*

- a. The provisions of this subchapter apply to all personnel in the United States and abroad who are currently employed (even if in Leave Without Pay status) by the Department of State and the United States Agency for International Development (USAID), including but not limited to Foreign Service (FS) employees, Civil Service (CS) employees, (including schedule C appointees and annuitants returning to work on temporary appointments on an intermittent basis, commonly referred to as "While Actually Employed (WAE)" personnel), locally employed staff (LE Staff), personal service contractors (PSCs), employees assigned to fellowships or details elsewhere and detailees or fellows from other entities assigned to the Department, externs/interns, and special government employees (SGEs) as defined in 18 U.S.C. 202(a) (all together referred to as "employees"). USAID service contractors and implementing partners should consult USAID's Bureau for Legislative and Public Affairs for applicable guidelines.
- b. Former Department of State employees (including former interns and externs) must seek guidance from A/GIS/IPS for applicable review process information. Former USAID employees (including former interns and externs) must consult the Bureau for Legislative and Public Affairs for applicable review process information.
- c. The provisions of this subchapter apply to all public communications as defined in 3 FAM 4173, such as speaking, teaching, writing, and press/media engagement, including that prepared for electronic dissemination in an employee's official capacity, or in an employee's personal capacity if on a topic "of Departmental concern," as defined in 3 FAM 4173.
- d. The provisions in this subchapter apply to all non-emergency public communications. During crisis situations, Posts should seek guidance from Washington as the review process may change. See 12 FAH-1 H-400 for information on crisis communications.
- e. Views on matters of Departmental concern communicated through methods of internal communication (including, for example, the Department's internal dissent channel) or disclosures made pursuant to 5

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U.S.C. 2302(b)(8)(B) are not subject to the review requirements of this subchapter.

- f. Employee testimony, whether in an official capacity or in a personal capacity on a matter of Departmental concern, may be subject to the review requirements of this subchapter. Employees should consult with the Department of State's Office of the Legal Adviser or USAID's Office of the General Counsel, as appropriate, to determine applicable procedures.
- g. USAID's internal implementation procedures are not comprehensively discussed in this subchapter. USAID employees should seek guidance from the Bureau for Legislative and Public Affairs.

3 FAM 4172 AUTHORITIES

The provisions of this subchapter are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this policy and are controlling.

These provisions are to be interpreted and applied consistent with the following authorities. This list is exemplary.

- (1) The Constitution of the United States, including the First Amendment and related jurisprudence;
- (2) The Anti-Lobbying Act, 18 U.S.C. 1913;
- (3) The Compliance with Procurement Integrity Act, 41 U.S.C. 2101-2107;
- (4) The Digital Millennium Copyright Act, P.L. 105-304;
- (5) The Federal Advisory Committee Act, 5 U.S.C. Appendix;
- (6) The Hatch Act, 5 U.S.C. 7321-7326;
- (7) The Immigration and Nationality Act, 8 U.S.C. 1101 et seq.;
- (8) The Privacy Act, 5 U.S.C. 552a;
- (9) Use of the Great Seal and Agency Seals; 18 U.S.C. 713 and 1017;
- (10) The Whistleblower Protection Enhancement Act, P.L. 112-119;

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- (11) Annual appropriations act restrictions on publicity and propaganda;
- (12) 5 C.F.R. 734, Political Activities of Federal Employees;
- (13) 5 C.F.R. 2635, Standards of Ethical Conduct for Employees of the Executive Branch;
- (14) 22 C.F.R. 172, Service of Process; Production or Disclosure of Official Information in Response to Court Orders, Subpoenas, Notices of Depositions, Requests for Admissions, Interrogatories, or Similar Requests with Demands in Connection with Federal or State Litigation; Expert Testimony (Touhy Regulations);
- (15) Executive Order 13526, Classified National Security Information, or subsequent, related orders;
- (16) Executive Order 13556, Controlled Unclassified Information;
- (17) Executive Order 13584, Developing an Integrated Strategic Counterterrorism Communication Initiative;
- (18) Protection of Sensitive Agency Information, OMB Memorandum M-06-16 (June 23, 2006);
- (19) Safeguarding Against and Responding to the Breach of Personally Identifiable Information, OMB Memorandum M-07-16 (May 22, 2007);
- (20) 3 FAM 1210, Personnel Policy;
- (21) 3 FAM 4120, Employee Responsibilities Abroad;
- (22) 3 FAM 4320, Disciplinary Action – Common Practices;
- (23) 5 FAM 460, Privacy Act Requirements;
- (24) 5 FAM 490, Use of Copyrighted Material;
- (25) 5 FAM 700, Internet and Intranet Use;
- (26) 12 FAM 540, Sensitive But Unclassified Information; and
- (27) 12 FAM 550, Security Incident Program.

3 FAM 4173 DEFINITIONS

Appearance – Any live or real-time (even if delayed) presentation of views or ideas, including but not limited to physical presence before an audience, participation in a text-only or visual online forum, participation in a press interview (in-person, online, or over the phone), or teaching.

Department – Both the U.S. Department of State and USAID, including U.S. and overseas offices, missions, and/or posts.

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Electronic dissemination – Information disseminated through electronic means, including but not limited to email distributions, social media, removable media like CD-ROM, or other technologies.

Employees – Current FS employees, CS employees (including schedule C appointees and annuitants returning to work on temporary appointments on an intermittent basis, commonly referred to as "WAE" personnel), LE Staff, PSCs, employees assigned to fellowships or details elsewhere and detailees or fellows from other entities assigned to the Department, externs/interns, SGEs as defined in 18 U.S.C. 202(a), and any other personnel who are employed by State or USAID in the United States or abroad.

Final Review Office – The office assigned to conduct formal reviews on behalf of the Department, when required, of a particular employee's or office's public communications, as listed in the chart at 3 FAM 4174.3(a).

Media engagement – Interviews or written submissions for newspaper, magazine, TV, radio, documentary, or other media organizations or products, including online forums.

Media organization – A person or entity engaged in disseminating information to the general public through a newspaper, magazine, other publication, radio, television, or other means of mass communication, including online forums such as blogs.

Of Departmental concern – Pertaining to current U.S. foreign policy or the Department's mission (including policies, programs, operations or activities of the Department of State or USAID), or which reasonably may be expected to affect the foreign relations of the United States.

Official capacity – Pursuant to an employee's employment responsibilities, or in any capacity representing the Department, regardless of location or forum.

Personal capacity – Not pursuant to an employee's official capacity, i.e., in his or her capacity as a private citizen. The content of a personal capacity public communication may nevertheless be of Departmental concern.

Protected Information – Information protected by law, regulations, privilege, or policy including but not limited to classified, sensitive but unclassified, non-public, or controlled unclassified information.

Public – Non-U.S. government audience(s).

Public communication – Appearances and/or publications for a public audience, including engagement with press/media organizations.

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Publication – Any prepared written communication presenting views or ideas for public dissemination, including but not limited to books, articles, papers, text of oral remarks, letters to the editor, and digital or online posts, including social media.

Publish – To disseminate a publication.

Social media – Digital technologies, applications and platforms that allow publishing, communication, and collaboration among individuals and institutions.

3 FAM 4174 GENERAL POLICY AND PROCEDURES

3 FAM 4174.1 Policy

(CT: PER-XX; XX-XX-2015)

(Uniform State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. The Department encourages employees, in both their official and personal capacities, to undertake responsible activities, including public communications, devoted to increasing public study and understanding of the nation's foreign relations.
- b. Social media provides an important means for the Department to fulfill its lead role in the conduct of U.S. foreign policy. The Department encourages innovative and responsible use of social media by employees.

3 FAM 4174.2 Overview

(CT: PER-XX; XX-XX-2015)

(Uniform State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. Public communications may be conducted in employees' official capacities, or in their personal capacities. As detailed in this subchapter, different standards and procedures govern each of these situations. Online communications such as social media use are not exempted from those standards and procedures except as described herein.
- b. Employees' official capacity public communications, including written submissions to media organizations, interviews with the media, or other official media appearances must be reviewed and cleared by the applicable Final Review Office, as defined in 3 FAM 4174.3(a). However,

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the Final Review Office, in its discretion, may issue certain blanket authorizations to engage to employees, offices, or sections, particularly for social media engagement; see 3 FAM 4175.1(c).

- c. Employees' personal capacity public communications must be reviewed if they are on a topic "of Departmental concern" (see 3 FAM 4173). Personal capacity public communications that clearly do not address matters of Departmental concern need not be submitted for review.
 - (1) The personal capacity public communications review requirement is intended to serve three purposes: to determine whether the communication would disclose classified or other protected information without authorization; to allow the Department to prepare to handle any potential ramifications for its mission or employees that could result from the proposed public communication; or, in rare cases, to identify public communications that are highly likely to result in serious adverse consequences to the mission or efficiency of the Department, such that the Secretary or Deputy Secretary must be afforded the opportunity to decide whether it is necessary to prohibit the communication (see 3 FAM 4176.4).
 - (2) The purposes of the review are limited to those described in paragraph (1); the review is not meant to insulate employees from discipline or other administrative action related to their communications, or otherwise provide assurances to employees on matters such as suitability for continued employment (see, e.g., 3 FAM 4130 for foreign service personnel and 5 CFR 731 for civil service personnel). Ultimately, employees remain responsible for their personal capacity public communications whether or not such communications are on topics of Departmental concern.
- d. No current or former employee is permitted to publish or otherwise disclose to the public (including by posting to the Internet or social media) materials that contain classified information. However, employees may make a protected disclosure of classified information to the Office of the Special Counsel or the Office of the Inspector General.
- e. In addition to complying with the provisions of this subchapter, employees engaged in public communication must also comply with applicable laws and regulations, including the Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR Part 2635) and laws referenced in that regulation, and other authorities listed in 3 FAM 4172.

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3 FAM 4174.3 Final Review Offices

- a. Where the provisions in this subchapter require formal review on behalf of the Department for official or personal capacity public communications, that review will be conducted by the appropriate "Final Review Office" listed in the chart below.

Agency	Employees	Final Review Office
State	Employees in U.S. and Chiefs of Mission	Bureau of Public Affairs (PA)*
State	Employees abroad other than Chiefs of Mission**	Chief of Mission or designee
USAID	Employees in U.S.	USAID's Bureau for Legislative and Public Affairs (LPA)
USAID	Employees abroad**	Chief of Mission or designee with concurrence of LPA

*The Final Review Office for public communications by the PA Assistant Secretary is the Under Secretary for Public Diplomacy and Public Affairs or his/her designee.

**Does not generally include those employees abroad only on temporary duty status; such individuals must submit their communications for review to the relevant Final Review Office for their normal location of assignment, unless the latter has approved other arrangements.

- b. Public communications that are subject to review must be submitted in advance to the appropriate Final Review Office, in an editable format. That Office will respond as quickly as possible within the timeframes below if the proposed communication does not involve equities of another U.S. government entity (e.g., NSA, NSC, CIA, DoD, etc.). When the proposed communication must be referred to another U.S. government entity or entities for review, additional time may be required to complete the review.

To ensure that no classified information is improperly disclosed, an employee must not take any steps to proceed with a public communication (including making commitments to publishers or other parties) until he or she receives written notice to proceed from the Final Review Office, except as described below. If, upon expiration of the relevant timeframes below, the Final Review Office has not provided an

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employee with either a final response or an indication that a public communication involves equities of another U.S. government entity (including a list of the entity or entities with equities), the employee may use, issue, or publish materials on matters of Departmental concern that have been submitted for review so long as such materials do not contain information described in 3 FAM 4176.2(a) and taking into account the principles in 4176.2(b). When an employee has been informed by the Final Review Office that his/her public communication involves equities of another U.S. government entity or entities, the employee should not proceed without written notice to proceed from the Final Review Office. Upon the employee's request, the Final Review Office will provide the employee with an update on the status of the review of his/her public communication, including, if applicable, the date(s) on which the Department submitted the employee's communication to another entity or entities for review. Ultimately, employees remain responsible for their personal capacity public communications whether or not such communications are on topics of Departmental concern.

Intended Public Communication*	Review Timeframe
Books, manuscripts, and other publications of considerable length	30 working days
Articles, papers, and other writings of a highly specialized nature	20 working days
Other papers or articles, including online publications	15 working days
Notification of a planned speaking engagement or other appearance	8 working days
Speeches, remarks, talking points, or notes for appearances	5 working days
Informal blog postings	5 working days
Other social media postings	2 working days

*Note: As this subchapter describes, not all public communication is subject to any type of review, and in some cases blanket authorization to engage, as described in 3 FAM 4175.1(c), may be granted. When in doubt, employees should consult their supervisors or Final Review Office for guidance.

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3 FAM 4175 OFFICIAL CAPACITY PUBLIC COMMUNICATIONS

3 FAM 4175.1 General

- a. Official capacity public communication may be conducted only if approved by the applicable Final Review Office (see 3 FAM 4174.3(a)) pursuant to the provisions of this subchapter. (For USAID see the Automated Directives System (ADS)).
- b. Public communication undertaken as part of an official Department-approved fellowship or detail on matters of Departmental concern, including that of employees detailed outside the Department as well as employees from other agencies detailed to the Department, will be subject to the official capacity review process.
- c. An individual, office and/or section that routinely conduct official public communication in order to satisfy essential programmatic responsibilities may be exempted from the review process if advance blanket authorization to engage has been previously granted by the Final Review Office. The blanket authorization to engage, once given, allows the holder to communicate publicly subject to the parameters of the authorization, and provided that all content conforms to the content rules outlined in 3 FAM 4175.2. Offices or sections whose employees have been granted blanket authorizations to engage must develop an internal review mechanism and accountability process for such content within the office. The Final Review Office will periodically review previously issued blanket authorizations to engage, and reserves the right to revoke such an authorization upon determination that revocation is in the best interest of the Department. Holders of a blanket authorization to engage may also be disciplined or subject to other administrative action related to their communications.
- d. When engaging in speaking, teaching, or writing as part of his or her official duties, an employee may not accept compensation for the activity from any source other than the U.S. government. See 11 FAM 600.
- e. An employee may use his or her official title for purposes of identification, since the employee will have been authorized to engage in the activity in an official capacity.

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3 FAM 4175.2 Content of Official Capacity Public Communications

a. Official capacity content must:

- (1) Be relevant and appropriate, in keeping with Department messaging, and in line with the communicating employee's, offices, or section's programmatic responsibilities. When relevant, employees should consult with other interested Department offices, posts, or sections;
- (2) Adhere to the content and security policies in 5 FAM 776.3 and 5 FAM 777, as applicable;
- (3) Identify, when using third party content, if there is a relationship between the Department and the third party to ensure transparency; and
- (4) When at post, respect host country laws consistent with Department policy. Employees are responsible for knowing host country laws.

b. Content must not:

- (1) Be inconsistent with stated U.S. government policy, unless clearly contextualized as another entity's view shared in the interest of educating, informing, or encouraging dialogue about U.S. government policies, U.S. principles, or U.S. society;
- (2) Comment on matters that are highly sensitive for the foreign relations or foreign policy goals of the United States, or on matters for which PA should otherwise be the first to speak for the Department, unless approved by PA or authorized (in consultation with the Department of State's Office of the Legal Adviser or USAID's Office of the General Counsel, as appropriate) by law or regulations;
- (3) Be libelous, defamatory, or offensive, including with regard to representatives of foreign governments, except when the text reflects an official cleared policy stance;
- (4) Contain, or in any way allow the public to access, classified or other protected information, even if it is already publicly available due to a previous unauthorized disclosure, including:
 - (a) material that the Department believes should be protected from public disclosure under the Freedom of Information Act (FOIA), 5 U.S.C. 552(b), including internal pre-decisional deliberative material;

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- (b) Information that reasonably could be expected to interfere with law enforcement proceedings or operations;
 - (c) Information pertaining to procurement in violation of 41 U.S.C. 2101-2107;
 - (d) sensitive personally identifiable information as defined in 5 FAM 795.1(f);
 - (e) other nonpublic information, when used in a manner as prohibited by 5 CFR 2635.703.
- (5) Promote a personal business or political point of view; or
 - (6) Contain a solicitation of any kind, or advertising on behalf of a non-U.S. government entity, without advance approval from the Department of State's Office of the Legal Adviser or USAID's Office of the General Counsel, as appropriate.
- c. Particular guidance for social media content:
- (1) The guidelines and restrictions in this subchapter have been developed to provide greater discretion to employees to post relevant content to official Department social media sites, and other social media sites as appropriate, subject to the guidance of their supervisors.
 - (2) Re-posting or re-using official content from sites managed by the Department or other U.S. government agencies where relevant and consistent with Department messaging, is encouraged. The posting of original content is also encouraged provided it complies with the requirements outlined in paragraphs (a) and (b) above.
 - (3) Employees may post appropriate third-party content or links to external sites, social media accounts, or specific pieces of social media content deemed to be reputable for informational purposes, provided the content complies with the requirements outlined in paragraphs (a) and (b) above. Content managers are responsible for ensuring that use of external links is not biased toward any one source or publication, and should be careful not to be perceived as official endorsement or sanction of a commercial enterprise.
 - (4) When non-U.S. government links are provided, the social media profile must include the following information, if possible, and otherwise a link to a site containing a Terms of Use (see 5 FAM 793.4) that contains the following information: The links contained herein are for informational purposes only and do not necessarily reflect the views or endorsement of the U.S. government or [the U.S. Department of State or USAID].

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- (5) See 5 FAM 794 for additional guidelines on content record-keeping.
- d. Copyrighted materials must be used only in accordance with current copyright laws, which typically require permission from the copyright owner. Refer to 5 FAM 490, Use of Copyrighted Material, for specific policy in this area. Material created by the Department cannot be copyrighted, and no copyright insignia ("©") or statement claiming copyright of a purely government work may be used, including on social media. Employees should also check the terms of the license for any third party material incorporated into Department material that they wish to use, to be sure that the use they intend is allowable.

3 FAM 4175.3 Review Process for Official Appearances and Media Engagement

(CT: PER-XX; XX-XX-2015)

(Uniform State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. All invitations for official appearances, including to speak, lecture, or participate in conferences or media interviews in an official capacity, must be referred for review to the appropriate Final Review Office. (See chart at 3 FAM 4174.3(a)). This should be done as soon as the invitation is made, even if materials (such as a speech or talking points) have not yet been prepared. Such materials should be submitted as soon as possible thereafter, as described below in paragraph (b). For employees submitting a request to PA, such requests should be submitted through the PA Clearances database at <https://paclearances.state.gov>.
- b. PA clears all public remarks by senior officials at the Assistant Secretary level and above, including Chiefs of Mission. All other employees must first submit the text, talking points, interview notes, or other materials to support the appearance to their immediate supervisors and any other offices concerned with the subject matter for preliminary review, editing, and approval. Once those preliminary approvals have been collected, the materials must be submitted to the Final Review Office, noting all such clearances, and referencing the Final Review Office's clearance of the engagement itself, sought per paragraph (a) above.
- c. For informal presentations, professional meetings, conferences, and panel discussions where, because of the nature of the public appearance, no prepared script or outline will be available for review, the speaker is responsible for seeking out and then observing policy limitations from relevant subject matter offices in order to ensure that his or her remarks are consistent with U.S. foreign policy and could not reasonably be

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expected to interfere with the efficiency or mission of the Department. Further, as always, the speaker is responsible for ensuring that his or her remarks involve no violation of security or other dissemination of classified or other protected information.

- d. When participating in an online video or text-based chat or other engagement conducted over the Internet, employees must adhere to the same review requirements as for live public appearances.
- e. Generally, official statements to the press are made only by the Secretary; a Deputy Secretary or Under Secretary; Ambassadors at post; the Assistant Secretary for Public Affairs; Department Spokesperson or Deputy Spokesperson; authorized personnel of the Office of Press Relations; and other Department officials cleared to deliver such statements by the Final Review Office. As with other official appearances, drafts of public remarks or talking points for engagements with the media should be submitted as early as possible for clearance.
- f. While the Chief of Mission or his or her designee serves as the Final Review Office at posts, requests for employees abroad to engage with U.S. domestic media organizations and organizations with significant U.S. domestic impact, particularly English language outlets, must also be reviewed by PA. Prior consultation with PA on other important public statements is also expected.

3 FAM 4175.4 Review Process for Official Capacity Publications

(CT: PER-XX/XX-XX-2015)

(Uniform State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. PA clears all official capacity publications by senior officials at the Assistant Secretary level and above, including Chiefs of Mission. All other employees must first submit the text to their immediate supervisors and any other offices concerned with the subject matter for preliminary review, editing, and approval. Once those preliminary approvals have been collected, the materials must be submitted to the Final Review Office (as described in 3 FAM 4174.3(a)), noting all such clearances. The Final Review Office will then make the final approval determination. For employees submitting a request to PA, such requests should be submitted through the PA Clearances database at <https://paclearances.state.gov>.
- b. As described in greater detail below in 3 FAM 4175.5, this process also applies to official social media postings and content prepared for placement in online forums such as blogs or Internet-based publications. However, per the guidance described in 3 FAM 4175.1(c), there may be

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instances where advance blanket authorization to engage is granted to individuals, offices, or sections who routinely communicate with the public on matters of Departmental concern, particularly through social media.

3 FAM 4175.5 Additional Guidance on Official Use of Social Media

Social media can be an important tool to engage with the public on matters of concern to the Department.

- a. In light of the rapid pace with which many social media platforms are used, all offices, sections, or employees who routinely post to such platforms in their official capacity are encouraged to seek advance blanket authorization to engage for their social media communications, in accordance with 3 FAM 4175.1(c).
- b. All employees, but especially those who routinely engage in official social media communications, are strongly encouraged to complete relevant training offered by the Foreign Service Institute, as coordinated by FSI/SPAS/PD. PA, the Bureau of International Information Programs, and other bureaus also offer other workshops and professional development in this area.
- c. Employees must secure authorization from their bureau or post to create new official social media sites, accounts, or to engage in such activities on third-party sites. Offices and bureaus are also required to register official social media sites in the Department's iMatrix registry (<https://imatrix.irm.state.gov/>) maintained by the Bureau of Information Resources Management (IRM), with PA and the Bureau of International Information Programs, and to list their properties on the Social Media Dashboard, as appropriate. USAID Missions abroad must also obtain prior approval from USAID's LPA before creating or engaging on new sites; LPA maintains a property inventory of all USAID properties. For more information on the establishment and maintenance of official social media platforms and accounts, see 5 FAM 790.

3 FAM 4176 PERSONAL CAPACITY PUBLIC APPEARANCES AND PUBLICATIONS

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3 FAM 4176.1 General

(CT: PER-584; XX-XX-2015)

(Uniform State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. Employees who, in their personal capacity, wish to communicate publicly on matters that are **clearly not** "of Departmental concern" (see 3 FAM 4173) need not seek Department review under the procedures outlined herein, and need not use the personal capacity disclaimer discussed below in paragraph (b). If there is doubt as to the need to seek review or use a disclaimer, employees should seek guidance from the appropriate Final Review Office (see 3 FAM 4174.3(a)). Please note that all employee public communications must comply with the content rules in 3 FAM 4176.2.
- b. Unless the appropriate Final Review Office indicates otherwise, employees who are communicating publicly in their personal capacity on matters of Departmental concern must include a disclaimer indicating that the views expressed are their own and not necessarily those of [the U.S. Department of State or USAID] or the U.S. government. However, such a disclaimer is not required when re-posting previously cleared and publicly disseminated U.S. government content in a social media environment. Where such disclaimers are required but difficult to include (such as in a microblog character-limited format), employees must include information in their profiles indicating that their views are personal. In some cases, PA will provide specific disclaimer language as warranted by the topic or nature of publication.
- c. When engaging in personal capacity public communication, employees may generally not accept compensation if the activity "relates to the employee's official duties." See 11 FAM 600. If abroad, see also 3 FAM 4120, "Employee Responsibilities Abroad."
- d. An employee may not improperly use U.S. government time or resources for preparing or conducting personal capacity communications. See 5 FAM 723. An employee also may not use his/her official title for personal capacity communications, except as part of a biographical text that includes the disclaimer discussed above in paragraph (b), and provided the reference to the title is not given any special prominence. Additionally, an employee may not violate other applicable ethical standards of character, integrity, and conduct, including, for example, the rules prohibiting the use of public office for private gain and the rules concerning prohibited political activity.
- e. As stated in 3 FAM 4174.2(c) (1), the review process is limited to three purposes. (See also 3 FAM 4176.4.) Therefore, completion of the review

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process is not a Department "clearance" or "approval" of the planned communication, and is not meant to insulate employees from discipline or other administrative action related to their communications, including for conducting personal capacity public communications that interfere with the Department's ability to effectively and efficiently carry out its mission and responsibilities, by, for example, disrupting operations, impairing working relationships, or impeding the employee from carrying out his or her duties. Ultimately, employees remain responsible for their personal communications whether or not the communications are on topics of Departmental concern.

3 FAM 4176.2 Content of Personal Capacity Public Communications

(CT: PER-XX; XX-XX-2015)

- a. When engaging in personal capacity public communications, employees must not:
 - (1) Claim to represent the Department or its policies, or those of the U.S. government, or use Department or other U.S. government seals or logos; or
 - (2) Disclose, or in any way allow the public to access, classified information, even if it is already publicly available due to a previous unauthorized disclosure.
- b. As stated in 3 FAM 4174.2(c) (1), a purpose of this review process is to determine whether the communication would disclose classified or other protected information without authorization. Other protected information that is or may be subject to public disclosure restrictions includes, but is not limited to:
 - (1) material that meets one or more of the criteria for exemption from public disclosure under the Freedom of Information Act (FOIA), 5 U.S.C. 552(b), including Internal pre-decisional deliberative material;
 - (2) information that reasonably could be expected to interfere with law enforcement proceedings or operations;
 - (3) information pertaining to procurement in violation of 41 U.S.C. 2101-2107;
 - (4) sensitive personally identifiable information as defined in 5 FAM 795.1(f); or
 - (5) other nonpublic information, when used in a manner as prohibited by 5 CFR 2635.703.

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3 FAM 4176.3 Review Process for Personal Capacity Public Communications

- a. PA reviews all personal capacity public communications on matters of Departmental concern by senior officials at the Assistant Secretary level and above, including Chiefs of Mission. For all other employees wishing to communicate publicly in their personal capacity on matters of Departmental concern, there are two review processes available:
- (1) Individuals may, as a first step, submit their requests for review to the Final Review Office (as described in 3 FAM 4174.3(a)). For employees submitting a request to PA, such requests should be submitted through the PA Clearances database at <https://paclearances.state.gov>. The Final Review Office will then consult with the employee's immediate supervisor(s) and any other offices concerned with the subject matter in accordance with 3 FAM 4176.4(c). The Final Review Office will then make the final determination.
 - (2) Alternatively, employees may initially submit their requests for review to their immediate supervisor(s), the Public Affairs Office in their bureaus or posts, and any other Department offices concerned with the subject matter. The materials must then be submitted to the Final Review Office, noting all such reviewers and any comments received. The Final Review Office will then verify those reviews, assess whether other reviews are needed, and make the final determination.
- b. Supervisors, Public Affairs Offices, or any other offices involved in the review process must flag for the Final Review Office any view that the proposed public communication may:
- (1) contain classified or other protected information;
 - (2) result in serious adverse consequences to the efficiency or mission of the Department; or
 - (3) be or become high impact or high profile, for example communication that is controversial, or otherwise involves a sensitive Department priority.
- The Final Review Office will then apply the standard described in 3 FAM 4176.4(a).
- c. In all cases, an employee must disclose his or her identity to the relevant Department reviewers.
- d. If another U.S. government entity seeks Department review of a personal capacity public communication by that entity's employee, the Department office in receipt of such request must coordinate with PA.

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3 FAM 4176.4 Final Review Office Procedures and Standard for Review of Personal Capacity Public Communications

- a. A principal goal of the review process for personal capacity public communications is to ensure that no classified or other protected information will be disclosed without authorization. In addition, the Final Review Office will evaluate whether the employee's public communication is highly likely to result in serious adverse consequences to the efficiency or mission of the Department, such that preventing those consequences outweighs the employee's presumptively high interest in communicating and the public's interest in receiving the communication. An assessment of the risk that the views in the communication could be attributed to the Department despite the employee's use of a disclaimer is a significant consideration in this evaluation, although it is not necessarily determinative. If the Final Review Office believes that a particular public communication should be prohibited under this standard, it will refer the decision (via Action Memorandum) to the Secretary of State or a Deputy Secretary of State for determination. However, where possible, the Final Review Office will suggest modifications to the draft communication that, if accepted, would reduce the risk to the Department's mission or efficiency sufficiently to moot the need to seek that determination.
- b. As stated in 3 FAM 4176.1(e), employees remain responsible for the consequences of their personal capacity public communications. To the extent time and resources allow, reviewers may assist the employee in identifying possible modifications or other adjustments to avoid the inclusion of non-classified but otherwise protected information, or the potential for adverse consequences to the Department's mission or efficiency (including the employee's ability to perform his or her duties effectively in the future). However, even if such assistance is provided, completion of the review process is not a Department "clearance" or "approval" of the public communication, and is not meant to insulate employees from disciplinary or other administrative action related to their communications, as set out in 3 FAM 4176.1(e).
- c. The Final Review Office will consult with any office in the Department with equities in the proposed communication during the course of its review. Final Review Offices at posts may seek PA's assistance in coordinating reviews when their employees' communications are on topics of particular concern to another post or bureau in the Department. If the Final Review Office determines that another U.S. government entity needs to review the communication, PA will coordinate that review.

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- d. No matter the outcome of the review, the Department may prepare to handle any potential ramifications for its mission or employees that could result from the proposed public communication.

3 FAM 4176.5 Additional Guidance on Personal Use of Social Media

Department employees who access and post entries to public, Internet-based social media sites in their personal capacity must use a personal profile registered with a personal email address at those sites, consistent with general policies on Internet use at 5 FAM 7007 as applicable.

3 FAM 4176.6 Review of Materials Prepared by Special Government Employees

(CT: PER-XX; XX-XX-2015)

(Uniform State/USAID)

(Applies to all Employees in the United States and Abroad)

A special government employee (SGE), as defined in 18 U.S.C. 202(a), is responsible for submitting for review any materials on matters of Departmental concern prepared in his or her personal capacity only if they relate to a matter to which the employee currently is assigned or to which the employee has been assigned during the previous one-year period of the current assignment. Whether or not a particular communication is subject to the review process, the content restrictions found in 3 FAM 4176.2 apply.

In some limited circumstances, specially designated SGE members of high-level advisory boards may be notified in writing, with concurrence from the Department of State's Office of the Legal Adviser and Undersecretary for Management, that they are exempt from the review requirements of this section. However, the disclaimer requirement, content restrictions, and ethics compensation rules remain applicable. SGEs at USAID should consult LPA for applicable guidelines.

3 FAM 4177 NONCOMPLIANCE

(Uniform State/USAID)

(Applies to all Employees in the United States and Abroad)

- a. Failure to follow the provisions of this subchapter, including failure to seek advance reviews where required, may result in disciplinary or other administrative action up to and including separation. Violations by USAID employees may be referred to the Deputy Administrator for Human Resources or USAID's Office of the Inspector General (see 3 FAM 4320).

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Disciplinary action will be pursued consistent with applicable law,
including 5 U.S.C. § 2302.

- b. Publication or dissemination of classified or other protected information
may result in disciplinary action, criminal prosecution and/or civil liability.

3 FAM 4178 UNASSIGNED

DRAFT

Case Id	Subject	Requester	Case Manager	Grant Code	
O-2009-00421	SPEECH PREPUB REVIEW - THE UNITED STATES AND THE ISLAMIC WORLD IN 2025 TO BE DELIVERED IN QATAR IN EARLY 2009		Margaret Scholl	REF	B6
O-2009-00479	ESSAY REFLECTING ON AMBASSADOR [REDACTED] TENURE AS ASSISTANT SECRETARY FOR AFRICAN AFFAIRS.			REF	B6
O-2009-00620	AFGHANISTAN BOOK		Alden Fahy	NRL	
O-2009-00862	SPEECHES BY FORMER AF A/S FOR COMMEMORATION OF 50TH ANNIVERSARY OF BUREAU OF AFRICAN AFFAIRS.			REF	
O-2009-00866	OP-ED PIECE.				
O-2009-00897	BOOK MANUSCRIPT ON RWANDA.		Behar Godani		
O-2009-01711	ARTICLE FROM ODNI.			REF	
O-2009-01879	ENTRIES FOR A US-LATIN AMERICAN RELATIONS ENCYCLOPEDIA.			GIF	
O-2009-02264	MANUSCRIPT "POLITICS, POWER PLAYS AND MILITANT ISLAM IN THE HORN OF AFRICA." BY [REDACTED] FBI INTELL ANALYST. ODNI REFERRAL			REF	B6
O-2009-02395	OP-ED ON CONVENTIONAL ARMED FORCES IN EUROPE TREATY				
O-2009-02521	FORMER AMBASSADOR TO COLOMBIA OP-ED PIECE ON MEXICO.			GIF	
O-2009-02632	INTELLIGENCE ARTICLE FOR PUBLICATION IN A ODNI SYNOPSIS			NRL	
O-2009-02785	MANUSCRIPT ON NORTHERN IRAQ				
O-2009-03294	COPIES OF REPORTS AUD/FM-05-33, JULY 2005 AND OIG REPORT NO. SIO/A-05-13			GIP	
O-2009-03404	MANUSCRIPT ON THE INTERNATIONAL CULTURE OF DIPLOMACY.			REF	
O-2009-03410	BOOK CHAPTER FOR PUBLICATION.			UNKNOWN	
O-2009-03502	MANUSCRIPT ON TERRORISM		Margaret Scholl	GIP	
O-2009-03796	BOOK ON ROMANIA			NRL	
O-2009-04086	OP ED PIECE.			NRL	
O-2009-04283	O-2009-04283			NRL	
O-2009-04673	O-2009-04673				
O-2009-05135	MANUSCRIPT TITLED "INTELLIGENCE COMMUNITY ANALYSIS AND US FOREIGN POLICY DECISION MAKING."			REF	
O-2009-05290	MANUSCRIPT			NRL	
O-2009-05520	MANUSCRIPT - KMT - CHIANG KAI-SHEK'S SECRET ARMY IN SOUTHEAST ASIA'S GOLDEN TRIANGLE			NRL	

RELEASE IN PART B6

REVIEW AUTHORITY: Frank Tumminia, Senior Reviewer

O-2009-05670	WAR CRIMES TRIALS, GTMO ARTICLE FOR LAW REVIEW PUBLICATION ENTITLED, "LEARN WHAT? 4 CONDITIONS FOR SUCCESS OF NORM INTERNATIONALIZATION THROUGH TRIALS FOR VIOLATIONS OF INTERNATIONAL LAW AND THEIR APP			GIF	B6
O-2009-06070	O-2009-06070			NRL	
O-2009-06136	U.S JOINT MILITARY CONTRIBUTIONS TO COUNTERING SYRIA'S 1970 INVASION OF JORDAN		Alden Fahy		
O-2009-06565	O-2009-06565				
O-2009-06586	O-2009-06586			GIP	
O-2009-06667	TITLE: "ADDRESSING THE PROBLEM OF FAILED STATES: A NEW INSTRUMENT"		Margaret Scholl	GIF	
O-2009-06705	ORAL HISTORY OF GENERAL JOHN W. VOGT.			GIF	
O-2009-06911	AUTOBIOGRAPHY OF FOREIGN SERVICE OFFICER WHO SERVED AS DAS IN INR, AMBASSADOR BOTSWANA, AND CHAIR AMERICAN INSTITUTE OF TAWIAN (AIT).				
O-2009-06916	US-PAKISTAN RELATIONS			NRL	
O-2009-06917	O-2009-06917			NRL	
O-2009-07669	O-2009-07669		Behar Godani	REF	
O-2009-08453	UN REALITIES: ESSAY IN HONOR OF W. MICHAEL REISMAN			NRL	
O-2009-08787	OP-ED PIECE ON IRAN		DIEDRIJE		
O-2009-08871	FORMER AMBASSADOR [REDACTED] CURRENTLY A NATIONAL INTELLIGENCE OFFICER AT ODNI SPEECH REVIEW.			REF	B6
O-2009-09295	OP-ED ON IRAN AND UN BY FORMER DEPT OFFICIAL.			REF	
O-2009-09591	NDU PIECE WRITTEN BY FORMER AMBASSADOR.				
O-2009-09876	ARTICLE			NRL	
O-2010-00025	AMEMD WARSAW CABLE FROM JUNE 1991			GIF	
O-2010-00293	ARTICLE: "STRENGTHENING THE INTERNATIONAL ATOMMIC ENERGY AGENCY FOR A WORLD WITHOUT NUCLEAR WEAPONS"				
O-2010-00667	ARTICLE BY FORMER L EMPLOYEE.				
O-2010-01123	NOVEL				
O-2010-01245	BOOK CHAPTERS				
O-2010-01565	ARTICLE ON GRENADA				

O-2010-01717	MEMOIRS/BIOGRAPHY	PUBLICATIONS REVIEW BOARD (PRB)		
O-2010-01812	BOOK CHAPTER			GIP B6
O-2010-01963	A MEMOIR BY [REDACTED] FORMER AMBASSADOR TO YUGOSLAVIA, ENTITLED, "STRUGGLING WITH DEMOCRATIC TRANSITION: AFTER THE CHEERING STOPS"			REF B6
O-2010-02245	ARTICLE ON YEMEN			NRL
O-2010-02424	ARTICLE ON GREECE.			NRL
O-2010-02473	DUPLICATE DOCUMENT CHECK			
O-2010-02825	FOUR CHALLENGES TO THE GENEVA CONVENTION AND OTHER EXISTING LAW PROPOSED BY DETENTION OPERATIONS IN CONTEMPORARY CONFLICTS		Alden Fahy	REF
O-2010-03523	JUVENILE JUSTICE IN TRANSITION: PAST CHALLENGES AND NEW OPPORTUNITIES AND POST-CONFLICT IRAQ			GIF
O-2010-03572	O-2010-03572			
O-2010-04020	MANUSCRIPTS BY FORMER U.S AMBASSADOR TO TURKEY, [REDACTED] AND FORMER U.S AMBASSADOR TO GERMANY, [REDACTED] "DIPLOMACY AFTER CONFLICT"			GIF B6 B6
O-2010-04257	AFGHANISTAN PRT BOOK			
O-2010-04276	PAKISTAN BOOK			NRL
O-2010-04414	MEMOIR BY FORMER AMBASS TO BARBADOS & EASTERN CARIBBEAN			GIF
O-2010-04692	YEMEN AND COUNTERTERRORISM MANUSCRIPT FOR PRE-PUBLICATION REVIEW UNDER E.O 13526			
O-2010-04723	BOOK BY FORMER AMBASSADOR ON AFRICAN LEADERS			UNKNOWN
O-2010-04725	MANUSCRIPT ABOUT DIPLOMATIC SECURITY SERVICE			
O-2010-04756	AFRICAN LEADERS AND INDEPENDENCE MOVEMENTS IN AFRICA			
O-2010-04847	PRE-PUBLICATION REVIEW OF THE UNTITLED MANUSCRIPT COMPILED BY THE ASSOCIATION FOR DIPLOMATIC STUDIES AND TRAINING DEALING WITH US- AFRICA RELATIONS OVER THE PAST 50 YEARS.			
O-2010-04848	FORMER AMBASS. TO CANADA BOOK ABOUT CANADA - DRAFT		Alden Fahy	
O-2010-04876	HU JINTAO'S DAILY BRIEFING		Alden Fahy	REF
O-2010-04952	BORDER SECURITY ARTICLE			NRL
O-2010-05077	CABLE DECLASS REQUEST.			

O-2010-05112	HISTORIAN'S REPORT FROM 1978			B6
O-2010-05603	O-2010-05603		GIF	
O-2010-05605	MS-ON WAR CRIMES TRIBUNALS BY FORMER U.S. AMB. AT LARGE FOR WAR CRIMES			
O-2010-05647	AUTOBIO BY FORMER AMB. [REDACTED] MAURITIUS, COMOROS AND SEYCHELLES		GIF	B6
O-2010-05818	SILK ROAD CENTRAL ASIA THESIS		NRL	
O-2010-05885	THE PEACE ALAMO		GIF	
O-2010-06027	O-2010-06027			
O-2010-06679	THIRTEEN PAGES OF EXTRACTS FROM AUTOBIOGRAPHY		UNKNOWN	
O-2010-06768	O-2010-06768		NRL	
O-2010-07186	O-2010-07186			
O-2010-07209	26 DOCUMENTS RELATED TO [REDACTED] TENURE AS SEC-DEF		REF	B6
O-2010-07541	GREECE AND TERRORISM.		GIF	
O-2010-07610	CABLE FOR DECLASSIFICATION.		GIF	
O-2010-07827	AIRGRAM		NRL	
O-2010-08070	O-2010-08070			
O-2010-08142	REFERRAL FROM NSS		NRL	
O-2011-00064	O-2011-00064		NRL	
O-2011-00500	O-2011-00500		NRL	
O-2011-00551	MANUSCRIPT, BURUNDI: ANATOMY OF A PEACE PROCESS		GIF	
O-2011-00568	BOOK MANUSCRIPT.			
O-2011-00590	MANUSCRIPT: NEW OPPORTUNITIES AND CHALLENGES FOR TAIWAN'S SECURITY			
O-2011-00981	ARTICLE ON BRAZIL-US RELATIONS			
O-2011-01195	O-2011-01195			
O-2011-01196	OIG	Lorraine Hartmann	GIP	
O-2011-01217	O-2011-01217		REF	
O-2011-01234	PRE-PUB REVIEW OF IRAQ ARTICLE.		GIF	
O-2011-01344	O-2011-01344		GIF	
O-2011-01370	O-2011-01370		REF	
O-2011-01371	O-2011-01371		NRL	
O-2011-01372	O-2011-01372			
O-2011-02046	MANUSCRIPT DESCRIBING EXPERIENCES IN BASRA, IRAQ.			
O-2011-02437	MEMOIRS		GIF	
O-2011-02706	DOD REFERRAL ON HAITI.		UNKNOWN	
O-2011-02990	DOD REFERRAL		UNKNOWN	

O-2011-02996	DOD REFERRAL; STABILITY OPERATIONS: FROM POLICY TO PRACTICE			UNKNCB6V
O-2011-03037	DOD REFERRAL; LEARNING WHILE FIGHTING: OPERATIONAL KNOWLEDGE MANAGEMENT THAT MAKES A DIFFERENCE.			
O-2011-03261	DOD PRE-PUB REFERRAL			NRL
O-2011-03262	DOD PRE-PUB REFERRAL			
O-2011-03397	PRE-PUB REVIEW OF ARTICLE ON BURMA'S NUCLEAR INTENTIONS.			
O-2011-04986	ARTICLE FOR PUBLICATION.			
O-2011-05366	2 HO REPORTS REQUESTING PROPER CLASSIFICATION			
O-2011-05837	BOOK CHAPTER, OPPORTUNITIES CREATED, OPPORTUNITIES LOST. US-ISRAELI-PALESTINIAN NEGOTIATIONS			GIF
O-2011-06119	REVIEW OF BLOG POSTS.			
O-2011-06224	THREE DOCUMENTS CONCERNING CHINA.	Alden Fahy		
O-2011-06382	MANUSCRIPT ENTITLED, "HATING THE JEWS: THE RISE OF ANTI-SEMITISM IN THE 21ST CENTURY" BY FORMER SPECIAL ENVOY TO MONITOR AND COMBAT ANTI-SEMITISM FROM 2006-2009			GIF
O-2011-06483	BOOK CHAPTER FROM NDU THAT CONTAINS INTERVIEW WITH AMB. [REDACTED]			REF B6
O-2011-06688	MANUSCRIPT ABOUT INDIA			REF
O-2011-06864	O-2011-06864			
O-2011-06961	O-2011-06961			
O-2011-07069	O-2011-07069			UNKNOWN
O-2011-07259	O-2011-07259			
O-2011-07451	O-2011-07451			
O-2011-08110	O-2011-08110			GIF
O-2011-08111	O-2011-08111			
O-2011-08201	CABLE CITED IN REPORT.	Alden Fahy		GIP
O-2011-08239	MANUSCRIPT ENTITLED, "WE ARE ALL GEORGIANS NOW: SYMBOLIC CAPITAL, TRUST AND AUTHORITY UNDER HIERARCHY"			GIF
O-2011-08240	O-2011-08240			REF
O-2011-08295	O-2011-08295			REF
O-2011-08482	JOURNAL ARTICLE ENTITLED, "INDIRECT REFOULMENT: CHALLENGING CANADA'S PARTICIPATION IN THE CANADA-UNITED STATES SAFE THIRD COUNTRY AGREEMENT"			REF
O-2011-08824	BOOK MANUSCRIPT			

O-2011-08825	UNPUBLISHED OIG WORK PRODUCTS REGARDING THE AMERICAN RECOVERY AND REINVESTMENT ACT			UNKN	B6
O-2011-08826	HUMAN RIGHTS, PUBLIC SECURITY ARTICLE			GIF	
O-2011-08858	O-2011-08858			GIF	
O-2011-08984	O-2011-08984			REF	
O-2011-09036	CUBA ARTICLE				
O-2011-09038	THE STORY OF A RETIRED US DIPLOMAT AND HIS COUNTER INTELLIGENCE EXPERIENCES IN FRANCE 50 YEARS AGO.			NRL	
O-2011-09039	FILES FROM INR.				
O-2011-09056	ARTICLE ON BALTICS			REF	
O-2011-09057	REQUEST FOR VARIOUS DOCUMENTS FROM AMB. [REDACTED] CAREER.				B6
O-2011-09058	O-2011-09058			REF	
O-2011-09075	CABLE THAT WAS CLASSIFIED BY STATE. THE SPECIAL AGENT AT CENTCOM IS TRYING TO SEE IF IT IS STILL CLASSIFIED.				
O-2012-00006	MEMOIRS				
O-2012-00029	DEMOCRATIZATION AFTER REVOLUTIONS IN THE ARAB WORLD: PROSPECTS AND LESSONS FROM AROUND THE GLOBE			INFORM - GIP	
O-2012-00030	DEVELOPMENT OF COIN IN REGIONAL COMMAND--EAST, 2004-2008				
O-2012-00033	CRISIS MAPPING INTELLIGENCE INFORMATION DURING THE LIBYAN CIVIL WAR: AN EXPLORATORY CASE STUDY			REF	
O-2012-00037	ARTICLE - CURRENT EMPLOYEE IN DS FROM PA.			NRL	
O-2012-00039	AFGHANISTAN			GIF	
O-2012-00040	NEW MEDIA			GIF	
O-2012-00042	A SENSE OF MISSION (COMPLETED GENERAL CHRISTIAN NOVEL)			NRL	
O-2012-00043	FUSION ENERGY AND DIPLOMACY				
O-2012-00071	ALLEGATIONS AGAINST [REDACTED] OIG INVESTIGATION.			GIP	B6
O-2012-00199	FIVE SHORT STORIES BY FORMER STATE EMPLOYEE.			UNKNOWN	
O-2012-00286	MANUSCRIPT				
O-2012-00287	CURRENT US FOR POL ARTICLE FOR BROOKINGS INSTITUTE		James Bonneau	REF	
O-2012-00289	ARTICLE BY NDU FACULTY.				
O-2012-00300	O-2012-00300				

O-2012-00301	A CHAPTER SUBMITTED BY A FORMER STATE EMPLOYEE, WHO PREVIOUSLY WORKED AT INR, TO BE INCLUDED IN AN ACADEMIC TEXT, ENTITLED, "THE UNITED STATES AND CENTRAL EUROPE: PRINCIPLES AND PRAGMATISM IN THE EVOL			
O-2012-00302	O-2012-00302			
O-2012-24352	A manuscript by Department of State Fellow, US Army [redacted] entitled, "America's Trajectory in the Long War..."			B6
O-2012-27114	Two Sides of the Same Coin: Integrating Civilian and Military Surge for Stability Operations			
O-2012-27762	Risk Culture: Differences Between the State Department & DOD			
O-2012-28122	The District Delivery Program in Afghanistan-a Case Study in Organizational Challenges			
O-2012-28806	Resilience Narratives Against Terrorism			
O-2012-29770	Disjointed Investments: Systemic Gaps in Recruitment, Training, and Retention			
O-2012-30375	The International Order and Counter-Terrorism			
O-2012-32720	Iran & Afghanistan: Comparing the Conditions for Transition from U.S. Military to Civilian-led Efforts			
O-2012-34590	Memoir Excerpt from CIA/PRB			
O-2012-34722	MoVimento 5 Stelle: From "Social Ferment" to Institutionalization			
O-2012-35745	draft of chapter.entitled, "Riding the Tiger: The Threat to Pakistan from Terrorism"			
O-2012-35855	Chapter entitled, "The United States as an International Litigant"			
O-2012-36534	The PLA's assessment of Air-Sea Battle			
O-2012-37289	Fellowship Reflection Essay-Internship at US Department of State, Summer 2012			
O-2012-38256	Warhead Reduction Verification by Simplified NEM (Nuclear Explosive Material) Monitoring			
O-2012-39865	Terrorism: Playing Defense			
O-2012-40677	A Diplomat's Farewell by [redacted]			B6
O-2013-01767	The Evolution of US and Moroccan Policy on Western Sahara: From Conflict to Cooperation			
O-2013-06426	Response to the Decade of War			
O-2013-06984	Co-Existence, Co-Ordination, and Crowding Out: Examining Synchronization between Nonviolent and Armed Resistance Movements			

Case Id	Subject	Requester	Case Manager	Grant Code
MANU-2012-25952	America Catholics, The Church and The New Century		Behar Godani	B6
MANU-2012-26103	Hidden Dragon, Crouching Lion: How China's Advance in Africa is Underestimated and Africa's Potential Underappreciated	Department of Defense Office of Security Review	Behar Godani	
MANU-2012-26104	Nigeria Strategic Resource Plan			B6
MANU-2012-26451	This is Bishker, Baby			
MANU-2012-27123	The Kitona Operation: Rwanda's Gamble to Capture Kinshasa and the Misreading of an ally"			
MANU-2012-33991	The New Digital Age: Re-shaping the Future of People, States and Business			
MANU-2012-34832	Manuscript entitled, "Havana Queen" by [redacted]			B6
MANU-2012-36666	Exit the Colonel		Behar Godani	
MANU-2012-37085	The Other Front in Afghanistan			
MANU-2012-37182	Setting Limits on Corporate nationality Planning in Investment Treaty Arbitration			
MANU-2012-37534	Manuscript entitled, "Unofficial Democracy; the American Institute in Taiwan, a Memoir"			
MANU-2012-38215	Arizona Rancher in North Korea (10-15-2012 redo)			
MANU-2012-38763	102 Days of War: How Osama Bin Laden, Al Qaeda, & the Taliban Survived 2001			
MANU-2012-40778	China's Defense Minister and Ministry of National Defense			
MANU-2012-41107	Stabilization Transition to a Host Nation: The Provincial Iraqi Control (PIC) Case			
MANU-2012-41140	The Joy of Treason			
MANU-2012-41142	Counter Insurgency in Eastern Afghanistan 2004-2008: A Civilian Response			
MANU-2012-41220	Oral history of LTG Donald L. Kerrick, USA (Ret.)			
MANU-2012-41234	Post Shards: Fragments of a Life Lived in CIA, the White House and the Two Koreas by [redacted]			B6
MANU-2013-00769	Treasury's War: How Bankers and Operatives Unleashed a New Era of Financial Warfare			
MANU-2013-01959	Harmonizing Policy and Principle: A Hybrid Model for Counterterrorism			

REVIEW AUTHORITY: Frank Tumminia, Senior Reviewer

RELEASE IN PART B6

MANU-2013-02368	Regional Cooperation to Counter Illicit Maritime Activities in the Gulf of Guinea and "The Challenge of Drug Trafficking to Democratic Governance and Human Security in West Africa"			B6
MANU-2013-02783	Regime Change Without Military Force: Lessons from Overthrowing Milosevic			
MANU-2013-03989	Unprecedented in the History of Nations: A Strategic Gameplan for US-China Relations			
MANU-2013-04141	Manuscript of nonfiction book of essays entitled, "The Foreign Circus" by [REDACTED]			B6
MANU-2013-07659	Revisiting NATO's Kosovo Air War: Lessons in Strategy for an Era of Austerity			
MANU-2013-07713	Insurrection: The Appalachian Command			
MANU-2013-08110	A Win-Win in the Eastern Mediterranean?			
MANU-2013-08293	Op-ed by former ambassador [REDACTED] The Op-ed will also be signed by Senator Joseph Lieberman and former NSA Advisor Steven Hadley.			B6
MANU-2013-08415	Under Fire: A Night of Terror and Courage in Benghazi			
MANU-2013-09411	Elements of Civilian Stabilization Team Leadership Success-Perceptions for Iraqi Provincial Reconstruction Teams			
MANU-2013-10117	General Eichelberger Oral history			
MANU-2013-10394	Talking to the Taliban 2010-2011: An Early Reflection			
MANU-2013-10597	With Courage and Persistence: Eliminating and Securing Weapons of Mass Destruction with Nunn-Lugar Cooperative Threat Reduction Programs			
MANU-2013-10699	Leaving Afghanistan? Watch Baluchistan			
MANU-2013-10789	The 2011 Libya Operation: War Powers Redefined			
MANU-2013-10938	Talking point for a short live webcast discussion on Syria.			
MANU-2013-11240	Pre-pub challenge/DOE is asking that we validate their analysis of an article by [REDACTED]			B6
MANU-2013-11241	DOE analysis of an article/prepub challenge			
MANU-2013-12063	Joint Interpretations Under a Divided TPP Investment Chapter			
MANU-2013-12069	What Next in Turkey?			
MANU-2013-12197	My New Favorite Person			
MANU-2013-12516	The Qatar Factor in U.S. Middle East Policy			
MANU-2013-12876	Op-Ed article on Yemen			

MANU-2013-12877	The Aide-Memoire of an Obscure Diplomat or The Incidental Oriental Secretary, and Other Tales of Foreign Service"			B6
MANU-2013-12900	Declass request for the declassification of a 1968 Agreement relating to the monitoring telecommunications and mail by German authorities and the sharing of such information relevant to the security o			
MANU-2013-12902	Civilian Intelligence Community: Additional Actions Needed to Improve Reporting on and Planning for the Use of Contract Personnel			
MANU-2013-13462	The Taliban: Afghanistan's Most Lethal Insurgencies			
MANU-2013-14158	Development as a Business Opportunity and Strategic Imperative			
MANU-2013-14549	Article on Yemen and the Muslim Brotherhood			
MANU-2013-15657	An Interview with Ambassador [REDACTED]			B6
MANU-2013-15840	Manuscript: "The Arrogance of Virtue"			
MANU-2013-16007	RR-378-DTRA, Penaid Nonproliferation			
MANU-2013-16650	Some Lessons on Negotiating with the Taliban			
MANU-2013-16651	Moving Past the Bosnia Fallacy: New Models for Understanding Syria			
MANU-2013-17267	Article on the military's Decisive Action Training Environment (DATE)			
MANU-2013-17886	Into the Foreign Service, 1979-1981			
MANU-2013-18086	5 articles (update later)			
MANU-2013-18501	Armed and Dangerous? UAVs and U.S. Security			
MANU-2013-18780	History, Policymaking and the Balkans: Lessons imported and Lessons Learned			
MANU-2013-18979	Review of Department of State Equities, "Military Responses to the Arab Uprisings and the Future of Civil-Military Relations in the Middle East: Analysis from Egypt, Tunisia, Libya and Syria" by MAJ W			
MANU-2013-19212	After the Withdrawal: What Role for the EU in Afghanistan?			
MANU-2013-19290	Women on the Frontlines of Peace and Security			
MANU-2013-19780	DOS-0001: Fictional manuscript entitled, "Surrogate" DOS-0002: Fictional Manuscript entitled, "Sicario"			
MANU-2013-19858	Transition in Pakistan			
MANU-2013-19893	A Guide To The Crisis in the Central African Republic			
MANU-2013-19896	A Guide to the Crisis in the Central African Republic			

MANU-2013-20195	Internship at State Department Provides Unique Experience			B6
MANU-2013-20653	Distinguishing Investors from Exporters under Investment Treaties			
MANU-2013-20660	Back to the Future in Europe?			
MANU-2013-20804	A Surprise Out of Zion? Case Studies in Israel's Decisions Whether to Alert the United States to Preemptive and Preventive Strikes, From Suez to the Syrian Nuclear Reactor			
MANU-2013-20810	Untitled Manuscript			
MANU-2013-20992	Nuclear Weapon Free Zones: Regional Reinforcement for the Global Regime			
MANU-2014-00688	Sanctions After the Next North Korean WMD Test			
MANU-2014-00889	Manuscript entitled, "Authorized Departure: Iraq Diaries (2004-2010)"			
MANU-2014-00954	Post in Australia seeking clearance on FOIA request from the government regarding a book review and guidance from USIA on the release of Philip Agee's 1975 book "inside the Company: CIA Diary" that we			
MANU-2014-00960	Evaluating the Impact of the DOD Regional Centers for Security Studies			
MANU-2014-01339	Us and Them: A U.S. Family Spends Ten Years With Foreigners			
MANU-2014-01378	The Demon Stone			
MANU-2014-02171	Manuscript entitled, "Understanding the Implications of the Arab Uprisings for U.S. Air Force Security Cooperation"			
MANU-2014-02370	Hezbollah's Syrian Quagmire	Behar Godani	GIF	
MANU-2014-02744	Article on "Israel-India Model"			
MANU-2014-03075	Syria-Where Do We Go From Here?			
MANU-2014-03083	The TRA-- Still Essential in Changing Times.			
MANU-2014-03141	Part II: Response To An Unforeseen Biological Hazard	Behar Godani	GIF	
MANU-2014-03337	Questions That Will Be Covered in the Frontline Interview			
MANU-2014-03546	Institute for Defense Analyses Report "Use of Biometrics within Sub-Saharan Refugee Communities"	Behar Godani	GIF	
MANU-2014-03682	Untitled			
MANU-2014-04061	Manuscript by [redacted] entitled, "The Iguana and the Albatross: Guantanamo's Strategy and Impact"			B6
MANU-2014-04519	The Transatlantic Relationship During The Snowden Era	Behar Godani	GIF	
MANU-2014-04526	Author's Note by [redacted]			B6

MANU-2014-05168	Dance with the Devil: A Life of American Diplomacy		Behar Godani	GIF	B6
MANU-2014-05237	Jus Extra Bellum				
MANU-2014-05938	Saving Private Raymond: Navigating the Pakistani Criminal Justice System				
MANU-2014-06182	Us vs. Them: Are We Outmatched by Russian Diplomacy Over Ukraine?				
MANU-2014-06204	David Bloch Questions				
MANU-2014-07004	The US "Rebalance" and Europe: Convergent Strategies Open Doors to Improved Cooperation by [REDACTED]				B6
MANU-2014-07019	Emotional Terrorism		Behar Godani	GIF	
MANU-2014-07219	Human Rights Diplomacy in Rwanda 2001-2004		Behar Godani	GIF	
MANU-2014-07301	Countering Nuclear Commodity Smuggling: A System of Systems				
MANU-2014-07531	Cold War Diplomat: A Retrospective by [REDACTED]				B6
MANU-2014-08048	This is a TS case/referral from DOD. The case has not been imaged in F2.				
MANU-2014-08755	Completing the Northern Distribution Network: U.S. Diplomatic Efforts in Uzbekistan, 2007 to 2009				
MANU-2014-09254	The Days After a Deal with Iran				
MANU-2014-09523	Policy Innovation Memorandum				
MANU-2014-09642	Dog's Breakfast				
MANU-2014-09986	Public Release Clearance Review of Manuscript by former Ambassador, [REDACTED] "The Art of Strategy Creation for Complex Situations"				B6
MANU-2014-10003	Request from IO to declassify cable				
MANU-2014-10267	The Mind of the African Strongman: Conversations with Dictators, Statesmen, and Father Figures				
MANU-2014-10268	Theology and the Disciplines of the Foreign Service: The World's Potential to Contribute to the Church				
MANU-2014-11481	The N.S.A. Shell Game				
MANU-2014-13062	Madam Ambassador: My Life in Budapest				
MANU-2014-13328	The Velvet Revolution and Me				
MANU-2014-15168	Ethnicity and Altruism after Violence: The Contact Hypothesis in Kosovo				
MANU-2014-15301	Opponents, Partners and Friends: Backchannel Diplomacy and Detente				
MANU-2014-15302	Article entitled, "Reflections on Russians and Ukrainians"				
MANU-2014-15781	Journal Entry #3				

MANU-2014-15782	The Borderline Paradox: Framing Central Asia's Current Economic and Security Challenges				B6
MANU-2014-15947	A Central Africa Perspective on the Struggles of the Central African Republic				
MANU-2014-16422	Insurrection: Mile-High Blood				
MANU-2014-16728	Benghazi: Managing the Message				
MANU-2014-16730	The United States and the Balkans: 1995-2008				
MANU-2014-16731	Zoom				
MANU-2014-17220	Article on the Public Affairs sections at US embassies and consulates and their role in public diplomacy.				
MANU-2014-18015	Uncle Sam's Nebraskan				
MANU-2014-18606	Power/Influence and the U.S.-Jordan Arms Transfer Relationship				
MANU-2014-18612	Upcoming Inflection Point: Tracing and Optimizing the Amisom Trajectory in Somalia				
MANU-2014-18832	Responsibility to Protect Doctrine				
MANU-2014-18833	Armed Forces Health surveillance Center Presentation, "Risk Factors for Severe Outcomes and Impact of Vaccination on Pneumonia and Influenza within Active U.S. Military Populations, 2000-2012"				
MANU-2014-19078	Columbia: A Political Economy of War to an Inclusive Peace				
MANU-2014-20014	Indonesian Memories: An American Diplomat's Life in Indonesia				
MANU-2014-21045	RAND request for access to various records for research purposes.	RAND			
MANU-2014-21319	Book chapter by [REDACTED] entitled, "The Middle East"				B6
MANU-2014-21636	Byline				
MANU-2014-21639	'Al-Qaeda, the Islamic State, and the Global Jihadist Movement: What Everyone Needs to Know"				
MANU-2014-21849	The Need for Justice				
MANU-2014-22554	Iran Watchers Program: A Different Kind of Teleworking Opportunity				
MANU-2014-22558	Benefits of International Science Collaboration				
MANU-2014-22576	UNESCO at Seventy: Reflections on its Origins, Achievements, Problems and Promise		Behar Godani	GIF	
MANU-2014-22873	Anti Americanism in Democratizing South Korea		Behar Godani	GIF	
MANU-2014-23168	Finland and its Lessons for Ukraine				
MANU-2015-00726	The Long Path to Peace in Afghanistan		Behar Godani	GIF	
MANU-2015-02861	Putin's Peninsula,				

MANU-2015-02863	NATO Needs a Comprehensive Strategy for Russia			B6
MANU-2015-02867	Assessing the Size of North Korea's Uranium Enrichment Program: A Bayesian Probabilistic Model			
MANU-2015-02934	Arming Ukraine: A Dose of Realism			
MANU-2015-03123	Chapter 9: The Middle East			
MANU-2015-03233	DOD request for cable review			
MANU-2015-03551	Putin's Hybrid War and its Long-Term Stability. Challenge for Russia and Ukraine			
MANU-2015-03552	Introduction for a book entitled, "Bears in Caviar" by Charles W. Thayer, first issued in 1951.			
MANU-2015-03878	The 800-pound Gorilla in Havana: Working with Cuba's Military			
MANU-2015-04962	ukraine: assessing moscows endgame			
MANU-2015-04963	The security cooperation office: More than Just Access, building partnerships, and capacity building			
MANU-2015-05021	Core Concern to Valued Partner: The Role of Counterintelligence in Effective Foreign Liaison			
MANU-2015-05036	Core Concern to Valued Partner: The Role of Counterintelligence in Effective Foreign Liaison	Behar Godani	CAN	
MANU-2015-05119	Foreign Circus			
MANU-2015-05517	seven chapters of a manuscript submitted by former DOS employee on terrorist organizations			
MANU-2015-06709	Expeditionary Diplomacy in Action: Supporting the Casamance Peace Initiative			
MANU-2015-06853	Russia's Comeback in the Middle East: Prospects, Limits, and Shifting Balances			
MANU-2015-07300	Opening the X-Files: A Case for Rejoining the Bureau International des Expositions (BIE)			
MANU-2015-07301	Dangerous Allies? The Potential Costs of American's Asian Alliances			
MANU-2015-07327	US Political Shifts Towards Cuba			
MANU-2015-07511	Article entitled, "Russian Strategy in Ukraine"			
MANU-2015-07678	International Peacekeeping and Micro-foundations for Positive Peace: Lab-in-the Field Evidence from Kosovo			
MANU-2015-08051	Mozambique Peace Talks			
MANU-2015-08927	Warrior in Service			
MANU-2015-08929	Karachi Frontline Talking Points for State			
MANU-2015-09092	Ambassador [redacted] Oral Biography- Guatemala as Ambassador 1993-1996			B6

MANU-2015-09723	US - Iran relations				B6
MANU-2015-09870	US views with the views of Uzbekistan (1992-95)				
MANU-2015-11156	Two articles: "Paper for the Next President" and "Security, Cooperation and Assistance: Rethinking America's Most Expensive Lever of Statecraft"				
MANU-2015-11157	Article by former US Ambassador to Equatorial Guinea and Director of the Office and Press and Public Diplomacy, [REDACTED]				B6
MANU-2015-11330	Two articles: "On Free Association Between the Philippines and the United States" and "An Option for the U.S.-Philippine Alliance: Free Association"				
MANU-2015-11618	Novel, "One of our Own"				
MANU-2015-11654	Reforming Myanmar's Military by [REDACTED]				B6
MANU-2015-11664	Golden Opportunities for Civilian Power				
MANU-2015-12081	Dealing with Objections to the CTBT				
MANU-2015-12082	Reforming Myanmar's Military				
MANU-2015-13370	Instruments of State Power: Diplomacy				
MANU-2015-13374	Beginnings of the Department's Mental Health Services				
MANU-2015-13375	Road Branch Mafia				
MANU-2015-13630	Request for cable declass by [REDACTED] in DS/TIA/PII				B6
MANU-2015-13632	Redemption Bay				
MANU-2015-13634	Request for declass of 2 cables from [REDACTED] in AF/S				B6
MANU-2015-13635	To the Secretary				
MANU-2015-13637	The Dog That Isn't Barking				
MANU-2015-15580	Trading Spies: Touching Evil				
MANU-2015-15581	cable declass request from TREAS				
MANU-2015-15671	Assessment of the Politico-Military Campaign to Counter ISIL and Options for Adaption,				
MANU-2015-15771	Op-ed in Benghazi. Author needs it cleared this week.				
MANU-2015-16713	Request for cable declass form Amb [REDACTED]				B6
MANU-2015-16715	DOD referral (RAND) by [REDACTED]				B6
MANU-2015-17112	Manuscript entitled, "Social Norms After Conflict Exposure and Victimization by Violence: Experimental Evidence From Kosovo"				
MANU-2015-17113	Haunted by the Truth: Mapping Risk in the Developing World				
MANU-2015-17265	Escape From Libya				

MANU-2016-00184	Letter and documentation re President Nazarbayev Letter to President Bush, 1992			B6
MANU-2016-00772	Our Separate Ways: The Struggle for the Future of the U.S. - Israel Alliance			
MANU-2016-00901	Strategic Central Asia			
MANU-2016-00902	Implications of the SCO Transition in Afghanistan for SOF			
MANU-2016-01047	Implications of the SCO Transition in Afghanistan for SOF			
MANU-2016-01431	Manuscript - "Left But Not Forgotten: Adventures of a Diplomatic Security Special Agent"			
MANU-2016-01489	The United States, The Torture Convention, and Lex Specialis: The Quest for A Coherent Approach to the CAT in Armed Conflict			
MANU-2016-01923	Manuscript "Ebony and Ivory" by [REDACTED]			B6
MANU-2016-01953	DS request for declass of cable 2011NAIROBI00513			
MANU-2016-01975	Manuscript: "Ebony and Ivory: An Uncommon Life"			
MANU-2016-02209	STRATEGIC CENTRAL ASIA			
MANU-2016-02210	Beyond Grand Bassam: Addressing Terrorism on the West African Coast			
MANU-2016-02322	Article for publication entitled, "Dictator's Didn't Make the Middle East Safer. I Watched Them Make it Worse"			
MANU-2016-02342	Moscow Memoir: An American Military attaché in the USSR [REDACTED]			B6
MANU-2016-02579	A Security System for the Two-State Solution			
MANU-2016-02580	The United States, the Torture Convention, and Lex Specialis: The Quest for a coherent Approach to the CAT in Armed Conflict			
MANU-2016-02704	The Big Stick: The Limits of Soft Power and the Necessity of Military Force			
MANU-2016-03601	Article by [REDACTED] entitled, "Taiwan's Submarine Program: Implications for Long-Term U.S-Chine Competition"			B6
MANU-2016-03604	Former VSFS intern monitored Chinese social media sites and drafted reports on what web users were saying about getting visas, birth tourism, etc. He is asking for these reports to now be cleared in o			
MANU-2016-03925	How the Arab Spring Paved the War for the Spread of the Islamic State			
MANU-2016-03935	Chasing Utopia			

MANU-2016-04912	Challenge of a Generation: A Meditation on War and Public Service			B6
MANU-2016-04913	Portion of fictional piece by current WAE reviewer			
MANU-2016-04914	A State of Mind: Faith and the CIA			
MANU-2016-04915	Assessing and Addressing Russian Revanchism			
MANU-2016-06219	The Palestinian Security Force: Future Prospects			
MANU-2016-06220	App Content II -- Spycraft and Espionage in Washington DC			
MANU-2016-06369	The Response of Russian Security Prices to Economic Sanctions: Policy Effectiveness and Transmission			
MANU-2016-06371	Eliminating Syria's Chemical Weapons and Implications for Addressing Nuclear, Biological and Chemical Threats Elsewhere,			
MANU-2016-06373	Request to downgrade a 1999 letter from Secretary Albright about Joe Pritchard.			
MANU-2016-06470	Thalys Train 9364: Somewhere in Northern France			
MANU-2016-06472	We Can't Trust Trump With Today's NSA			
MANU-2016-06473	Thalys Train 9364: Somewhere in Northern France			
MANU-2016-06474	The Reem Island Ghost: Framing State Narratives on Terror			
MANU-2016-06596	The 1994 UN Cairo Conference on Population and Development: How Many Divisions Does the Pope Have?			
MANU-2016-06747	Enemy of the Good			
MANU-2016-06959	A Path to Piece			
MANU-2016-07274	Our Latest Longest War: The US Military in Afghanistan			
MANU-2016-10269	Interview			
MANU-2016-10270	Speaking Out September 2016: Neglecting World's Fairs Doesn't Make Them Go Away, So Let's Do It Right			
MANU-2016-10429	Left but not Forgotten			
MANU-2016-10522	Script by [REDACTED] entitled, "The Bridge of Gold"			B6
MANU-2016-10523	The Forgotten Pillar: The Critical key in the US Coalition in Afghanistan With a High Cost			
MANU-2016-10842	Limiting the Benghazi Tragedy to Benghazi			
MANU-2016-10870	The US-ROK-Japan Trilateral Alliance and the Cancer Moonshot Initiative: Opportunities in Science, Global Health, and Diplomacy			
MANU-2016-11291	Africa: Security Governance Initiative			

MANU-2016-11506	Article on Benghazi by senior lessons learned advisor in CSO/APPL				B6
MANU-2016-11601	The Eagle and the Trident: U.S- Ukraine Relations in Turbulent Times				
MANU-2016-11784	Novel on N. Korea by current WAE				
MANU-2016-12301	Guardians of the Catchment				
MANU-2016-13149	President Trump and Federal Employees				
MANU-2016-13150	Two segments: Excerpt and Manuscript (manuscript sent via mail, pending receipt) entitled, "Decimated Soul"				



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May 15, 2015

**ACTION MEMO FOR DEPUTY SECRETARY BLINKEN
DEPUTY SECRETARY HIGGINBOTTOM**

RELEASE IN PART B5, B6

FROM: PA – Valerie Fowler, Acting
L – Mary McLeod, Acting

SUBJECT: (SBU) Foreign Affairs Manual Process for Review of Employee
Public Communications

Recommendation

(SBU) That you approve a new approach to the Department's advance review of employees' official and personal capacity of public communications in a revised Foreign Affairs Manual (FAM) subchapter.

Deputy Secretary Blinken:

Approve ✓ (6) 6-8-15 Disapprove _____

Deputy Secretary Higginbottom:

Approve h 5/23/15 Disapprove _____

Background

(U) PA, working with L, has undertaken a major revision of the sections of the FAM of concern to the process for advance review of an employees' official and personal capacity public communications (speaking, writing, teaching, media engagement, etc.). These FAM provisions apply to Department of State and USAID employees. PA undertook review of these FAM provisions primarily to incorporate changing technologies in communication, including social media; to consolidate the guidance found in related provisions spread across three separate FAM chapters and thereby eliminate inconsistencies; and to streamline the review process. The revised FAM has been approved by USAID, circulated to all Department bureaus through eFAM, and reviewed by the Department unions.

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TREAT AS ORIGINAL

REVIEW AUTHORITY: Frank Tumminia, Senior Reviewer

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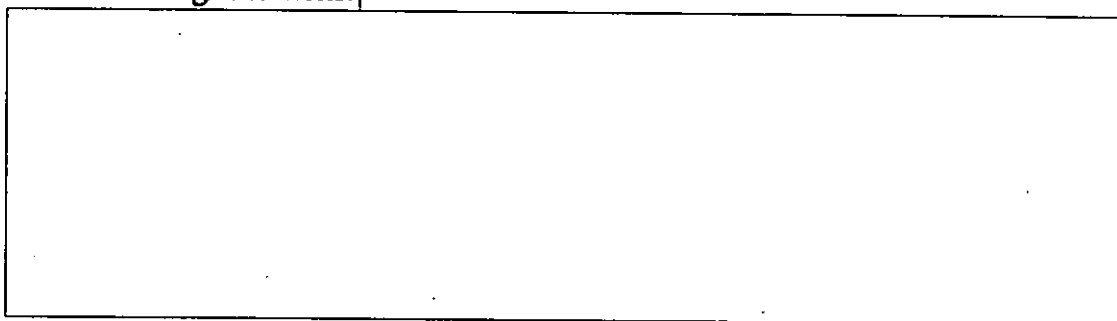
The American Foreign Service Association (AFSA) raised initial concerns, which we addressed in a manner that garnered AFSA's approval.

(U) During the revision process, we balanced a variety of policy and legal considerations in order to arrive at a framework that best represents the interests of the Department and its employees. Policy equities ranged from those related to encouraging employees to engage the public to those that argue for limits on such engagement in order to protect the Department's mission and operating efficiency.



Therefore, it was important to ensure the new review process closely aligns with constitutional requirements. Finally, some changes were necessary to make the review process more flexible depending on the nature of the communication; in particular, to reflect the growing use of fast-moving and interactive social media communication tools that the existing FAM review process was not set up to accommodate.

(SBU) The Department has numerous policy interests that favor a process that accommodates employee engagement with the public. As currently reflected in 3 FAM 4172, the Department's longstanding policy has been to encourage the participation of its employees, in both their official and personal capacities, in responsible activities devoted to increasing public study and understanding of the nation's foreign relations.



(SBU) There are also Department interests in retaining the ability to discipline employees for inappropriate oral or written communications or even to seek to stop a speech before it occurs to prevent harm to the Department's mission or its ability to operate efficiently. The risks posed by employee speech include: disclosure of classified or other protected information without authorization; attribution of personal views to the U.S. government with the result

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of damaging foreign relations; impairment of the employee's ability to perform his/her job duties (e.g., due to loss of credibility as a diplomat if writings are considered offensive in a particular area or inconsistent with U.S. policy); or incitement of violence or other reactions that could jeopardize the safety of our posts and U.S. government employees serving overseas.

(SBU)

B5

The most significant changes are the introduction of a blanket authorization for certain official capacity communications, a new graduated timeframe for reviews, and a new standard and process for the review of personal capacity communications.

(U) Blanket authorization for certain official communications: The revised FAM would acknowledge the increasingly important role of technology in communications and encourage responsible employee use of social media by authorizing the Final Review Office (which is PA in Washington, the chief of mission or his/her designee at post, or the bureau for legislative and public affairs at USAID) to grant a "blanket authorization to engage" to employees who regularly communicate with the public as part of their official duties. The blanket authorization would allow the holder to engage in public communications that conform to the parameters of the authorization without seeking clearance of the material in each instance. The employee's office would, however, be required to establish an internal review mechanism and accountability process for the content of such communications. The final review office would also periodically review such authorizations and would reserve the right to revoke them upon determination that revocation is in the best interests of the Department. While this "blanket authorization to engage" was designed with official social media communications in mind, the FAM text would not necessarily limit it to social media, and it could be utilized in certain personal capacity situations as well.

(U) Review timeframe: A graduated table of review periods, for both official and personal communications on matters of Departmental concern, based on the nature of the intended public communication (e.g., a maximum of 30 working days for books and two working days for social media postings) would replace the current semi-hard deadline of 30 days that applies to all communications no matter the length/type. In practice, most reviews do not take as long as the proposed timeframes. The proposed timeframes would be binding on the Department only for those communications that do not involve the equities

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of another U.S. government entity. If a proposed public communication involves the equities of another U.S. government entity, additional time would be permitted. This approach is beneficial to employees in that it sets a standard for expedited review for materials that are shorter or less technical, while also providing the Department with flexibility to take additional time when other U.S. government equities are involved.

(SBU) Personal capacity communications review standard and process:

The proposed new approach for personal capacity communications balances the policy and legal considerations noted above. The purpose of the new review process would be to determine if an employee's proposed communication (1) contains classified information and therefore must be prohibited, (2) contains other protected information without authorization, or (3) is "highly likely to result in serious adverse consequences to the mission or efficiency of the Department." Only the Secretary or a Deputy Secretary will have the authority to invoke the latter standard and prohibit the speech of Department and USAID employees. The resulting framework would reduce, consistent with applicable law, the Department's ability to engage in prior restraint of employee personal capacity communications, but continue to allow the Department to take action to prevent communications in the face of risk of serious and predictable harm to the Department's mission.

(SBU) From an employee's perspective, the increased freedom to communicate would be balanced by employees' increased responsibility since the revised framework would also strengthen the Department's ability, in appropriate circumstances, to discipline misconduct related to an employee's public communications after the communication has taken place and if adverse consequences occurred.

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Attachments:

Tab 1 – Draft Revised 3 FAM 4170

Tab 2 – Legal Background

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Approved: L – Mary E. McLeod
PA – Valerie Fowler

Drafted: L/PD – RGill, x26473 or [REDACTED]
L/PD – MConklin, x26472 or [REDACTED]
PA/FO – VFowler, x77192

B6

Cleared:	L/FO – KMcManus	OK
	L/EMP – DBennett-Ingold	OK
	D – WRusso	OK
	D-MR – DTaylor	OK
	P – MOrona	OK
	C – YFischer	info by request
	M – KAustin-Ferguson	OK
	R – PKabra	OK
	S/P – LBaer	OK